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## **Maternity Leave Policy in U.S. Police Departments and School Districts: The impact of descriptive and social group representation in a context of gendered institutions**

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Maternity Leave Policy in U.S. Police Departments and School Districts:  
The impact of descriptive and social group representation in a context of gendered institutions

A Dissertation

Submitted to the Graduate Faculty of the  
University of New Orleans  
in partial fulfillment of the  
requirements for the degree of

Doctor of Philosophy  
in  
Political Science

by

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August, 2008

For my mother, Linda.

And for the women police officers who have made this dissertation better for their participation and help.

I would like to dedicate this dissertation to my family whom I love with all my heart: Emily, John, Ron, Laura, Bryan, and Jimmy.

To all of my friends in New Orleans who patiently waited for me to finish. Special thanks to Kim Tate and the New Orleans U.S. Secret Service office.

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## **Abstract**

United States federal law regulating leaves of absence for maternity-related purposes pales in comparison to other nations' policies, an observation only recently receiving attention from political scientists. Providing an understanding of how maternity leave is handled by individual organizations in the United States only, a quantitative study is conducted that examines local variation in policy formulation. Employee leave due to maternity is primarily a women's issue and its treatment will vary depending on the socio-political context that the policy dictating the leave is found in. Three main determinants of a policy's level of comprehensiveness are identified as being the political representation of women on local legislative bodies, the bureaucratic representation of women in their place of employment, and the level of women's movement activity in the community. Moreover, the gendered context of the organization is considered by comparing two historically distinct institutions on the gender continuum, public education and law enforcement. After analysis involving a national comparison of public school district and police department maternity leave policies, it was found that the presence of the women's movement in a community significantly impacts the dependent variable, policy comprehensiveness. The effects of political and bureaucratic representation, however, seem to differ between police departments and school districts. In consideration of the most comprehensive policies found, it seems police departments are highly influenced by larger proportions of women officers whereas women teachers might be at a disadvantage precisely because of their over-representation in school districts. Seemingly counterintuitive, this finding suggests that gendered institutions are predicated on more than just women's presence. Evidence that maternity leave policy in individual U.S. institutions is a product of the gendered culture of the organization was found by observing the differential impact of political and social variables on police departments and school districts.

**Key Words:** descriptive representation, family leave, gender, institutions, local government, maternity, police departments, political representation, pregnancy, public policy, school districts, social group representation, women, women's movement



## **Introduction**

Family leave policies in United States cities exhibit great variation in breadth of coverage for employees who are either pregnant or have recently given birth. Federal policy, contained in the Family Medical Leave Act of 1993 (FMLA), grants women up to twelve weeks of unpaid leave and bars dismissal or demotion of women who, if eligible, choose to take it. Beyond that, it leaves states and local governments with considerable discretion resulting in policies that range from blatant acts of noncompliance to ones that explicitly offer paid maternity leave. Even in the most liberal of maternity leave granting states, California, variation can be found in cities that choose to sidestep the state's policy altogether.<sup>1</sup> The following analyzes the relationships among leave policies, the representation of women on local legislative bodies (city councils and school boards), the political and institutional milieu within cities, and the women's movement in the United States.

Comprehensive policies are predicated upon favorable political conditions in the form of women elected officials expected to push for such policies. Working in tandem with such political representation is the women's movement, a collective of groups and individual activists that, in cities in which it is thriving, amplifies the need for women friendly policies (Costain, 1992). The relationship among women political representatives, women interest groups, and public policy is relatively unexplored in political science, particularly when it comes to studying mothers. Stetson (2004) attributes this lack of attention to a social and legal tradition that has defined motherhood as a private affair, largely irrelevant to political life. To enact any sort of meaningful social change for mothers, their role must expand beyond that of passive, apolitical homemakers. The most likely promulgators of such a change will be women themselves.

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<sup>1</sup> If an organization does not participate in the State's Disability Fund, its employees do not qualify for partial paid maternity leave ([http://www.edd.ca.gov/pdf\\_pub\\_ctr/de8714b.pdf](http://www.edd.ca.gov/pdf_pub_ctr/de8714b.pdf)), last referenced July 3, 2008).

Adding further disparity between local governments' family leave policies are differences in the local public agencies themselves. Some are free to modify the city's policy into a formal policy of their own in order to accommodate the particular needs of their employees. Police officers are prone to erratic work schedules and hazardous conditions that require departments to adapt their practices and institute their own policies. In New York City, for example, women police officers are given six weeks off for natural birth and issued maternity uniforms for those who request them. However, the majority of police departments handle pregnancies on a case-by-case basis.<sup>2</sup>

To identify the differences in policies, more than a review of police administrative manuals is needed because many do not contain any maternity provisions. This is not surprising given police profession's largely male composition.<sup>3</sup> In other words, law enforcement has been and still is a male occupation where mothers comprise an even smaller proportion of its total workforce than females alone. Surveys distributed to police departments for purposes of this research allow a more complete depiction of how police departments handle pregnancies in practice, not just in principle.

Some public entities that are affected by the community are not under the control of city government. A local public education system, for example, tends to control its own administration. Therefore, the family leave policy for public school employees could differ from that of a city's. Teaching at the elementary and secondary schools level has been and still is predominantly carried out by women, whereas the job of policing is typically done by men. While affected by contextual variables like the community and the city's governing body, public

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<sup>2</sup> <http://www.iawp.org/wp/workplace.htm>, last referenced July 3, 2008.

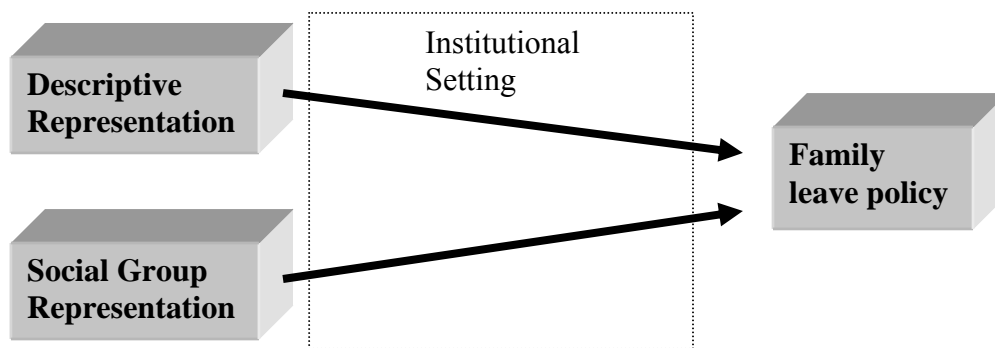
<sup>3</sup> A 2001 study by the National Center for Women and Policing estimates that 11.2 percent of U.S. law enforcement personnel are women ([http://www.womenandpolicing.org/PDF/2002\\_Status\\_Report.pdf](http://www.womenandpolicing.org/PDF/2002_Status_Report.pdf), last referenced July 3, 2008).

school and police department leadership are expected to play a large role in determining the fate of leave policy for their respective employees.

Contrasting the leave policies of police departments and public schools presents an opportunity to explore the effect of gender on institutions and representation. The employer's sensitivity to an employee's pregnancy may be dissimilar because bureaucratic cultures differ. While leadership is important, the informal processes and interactions embedded within the institutions themselves may influence their values as reflected in policy. Comparison of these two very different public entities is useful for examining the effect of gendered social values on institutions as well as their effect from within the institutions that are disproportionately male or female.

An organization's leave policy acts as an indicator of that community's commitment to gender equality. After the following chapters provide theoretical depth and clarification of the relationships proposed in this study, further elaboration of the model below will be offered.

**Figure 1.1: A condensed model of determinants in family leave policy variation**



Family leave policy is highly politicized, as illustrated by President Bush's extension of the Federal Family Medical Leave Act (FMLA) which allots more time off to immediate family

members of military personnel than any other FMLA covered group.<sup>4</sup> The amendment sends a powerful message as to what family circumstances are appropriate for taking leave from work. Communities simultaneously translate the U.S. work ethic, which stresses individual responsibility and eschews government involvement, and weigh the demands of their employees and the ideological context of the population.

### ***Chapter Outline***

Chapter 1 provides a review of the literature concerning family leave policies, including its historical development in the U.S. and its treatment in academia. Chapter 2 assesses the debate on descriptive and substantive representation for women on policy outcome and combines both types to better conceptualize women's representation in local government and its potential impact on local employee leave policy. The social movement literature is reviewed in Chapter 3 for support that the women's movement's strength in a community must be studied in conjunction with representation of women in local government in order to better understand policy outcomes. The public education system will be introduced as an exemplar of a "female institution" in Chapter 4, which will examine the gendered processes that take place in different bureaucracies and their effect on school family leave policy. The leave policies of the purported converse, the masculine police department, are assessed in Chapter 5. As in Chapter 4, female representation within the organization is addressed as a possible policy determinant. Corresponding with the theoretical development of the chapters, and the variables addressed, a model of the expected relationships will be given at the end of each chapter.

Lending empirical support to the theoretical arguments are the data collected on the presence of women's organizations in local communities, the formal family leave policies of

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<sup>4</sup> FMLA as amended by section 585 of the National Defense Authorization Act for FY 2008, Public Law [110-181] Enacted January 28, 2008 (<http://www.dol.gov/esa/whd/fmla/fmlaAmended.htm>, last referenced July 3, 2008).

local governments, and gender composition of local governing bodies. The coding and measurement of data will be discussed in Chapter 6 and Chapter 7 will end with a discussion of their implications.

## CHAPTER 1

### The FMLA Effect

Allowing employees to take time off to care for newborns is a recognizable national interest in many countries, but the extent and character of the policy itself varies considerably. One thing is certain, family leave policy in the United States lags far behind those of other democracies by not providing any sort of guaranteed paid leave for mothers. The Project on Global Working Families, supported by the Ford Foundation, compared 173 countries and found that 169 of them offered paid leave to new mothers and 66 countries provided the same to fathers as well.<sup>5</sup> Liberia, Papua New Guinea, and Swaziland were the only other countries found without a national paid leave provision. This project represents the only attempt at a large scale comparison of national family leave policies across the world.

No in-depth study on differential rates of leave taking, or details of policy development and execution, has yet been conducted (Moss, 2006). The few studies that examine family leave specifically concentrate on countries, like Sweden, where family leave is the most generous.<sup>6</sup> Kittilson, however, has conducted a cross-national study of family leave policies in 19 countries, concentrating on the time of the policy's adoption, its comprehensiveness, and the influence of women's political representation on such policies (2008). The paucity of research in family leave policy, and how it is implemented, in the United States is surprising in that the policy is so markedly underdeveloped compared to that of other countries.

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<sup>5</sup> <http://www.mcgill.ca/files/ihsp/WFEI2007FEB.pdf>, last referenced July 3, 2008.

<sup>6</sup> These studies also tend to concentrate solely on the private sector. Haas and Hwang (1995) examine Sweden's top 250 largest corporations, for example, drawing policy implications for the U.S. Other studies have focused on Sweden's generous paternity leave policy finding that social factors, like the bureaucratic culture of the organization, still affect the total length of leave taken (Haas, 1992). As in the United States, the Swedish public still harbors some of the same gender role stereotypes despite their policy (Haas and Hwang, 1995).

The contrast between the most and least leave granting European countries shrinks in comparison to that of any European country and the United States. In Sweden a mother or father may take up to ninety-six weeks of paid leave as opposed to a mother or father in Germany who are only guaranteed fourteen weeks. Yet, in both countries, this leave is paid. To remain competitive, American companies, such as Microsoft, must often match the leave policy of the countries in which their overseas offices are located (Gardner, 2006). Unfortunately, the same dispensation is not often granted to employees of that same company residing in the United States. This is due to a national policy that gives little incentive for paid family leave.

The following provides an overview of family leave policy in the United States beginning with a description of the policy and its history and ending with a review of the academic literature on U.S. family leave policy. Focusing solely on an economic-based explanation of the FMLA's limitations is incomplete because it cannot explain the United States experience with such a limited policy in light of other countries offering paid leave that are full participants in the global economy. A brief historical examination of FMLA provides a basis for the cultural explanation advanced here. Part of the silence on this topic in academia may be attributed to a shared understanding of the United States as more fully steeped in a capitalist system which typically eschews family rights in favor of financial prudence.

Comparing the United States to former East and West Germany, Adler and Brayfield (2006) write that the U.S. political culture, or what they refer to as gender culture, is a liberal gender regime<sup>7</sup> that is:

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<sup>7</sup> Connell (1987) explains that gender regimes exist at the macro-level, in terms of national policy for example, as well as at the level of informal groups in an organization. A gender regime is a pattern of informal and formal interactions that are influenced by the outside environment but, at the same time, are specific to that organization. Teaching, for example, is a gender regime that is characterized by a system of stronger gender values that emphasize the emotional suitability of women in teaching. (Gannerud, 2001).

grounded in a political culture of individualism in which inequality is viewed as an individual problem, and is characterized by a “discrimination approach” with low state involvement, anti-discrimination laws, equal opportunity policies, child care as a private or market concern, and private dependence in that lone mothers are not supported by the state (237).

According to this view, it is the culture, not the structural characteristics of the country that is found to be responsible for public attitudes towards pregnant workers. Attitudes regarding motherhood and the role of the state will guide policy more than any economic reality. They find that both former East Germany and West Germany have become more supportive of paid time off for care of newborns, despite regime changes, whereas the United States has stayed the same.

Comprehensive family leave policy is not necessarily “bad for business.” It is more likely to provide tangible benefits to an organization in terms of increased morale and fewer absences in the future that could have been prevented by more parental time at home (Armenia and Gerstel, 2006; Scharlach and Grosswald, 1997). In a study of police officers, Burke (1989) found that those who were not able to care for their families because of work were more likely to suffer from depression. As will be demonstrated, a variety of political factors, thus far inadequately examined, influence the assortment of policies found in public schools and police departments. For a topic so laden with political implications, its omission in political science is surprising.

### ***FMLA in review***

It was not until 1993, with the passage of the FMLA, that women were permitted under national protection, without fear of dismissal or demotion, to take time from work so that they could give birth or take care of a sick child or an elderly parent. Such protection, however, is



conditional on the size of the company and the duration of the worker's employment.<sup>8</sup> More importantly, FMLA leave is unpaid and vague in substance, leaving much room for employers to circumvent time off by, for example, stipulating the circumstances by which sick leave may run concurrent with FMLA leave. Some employers allow their employees to use paid vacation time during FMLA leave but others do not. Without specificity, the provisions of the FMLA allow employers to offer the most minimal of leave to their employees. Smaller companies naturally will have a more difficult time accommodating their pregnant employees and have therefore less incentive to do so (Monroe et al., 1995). In the future, FMLA might become more restrictive in leave-taking policy by, for example, requiring more medical proof of incapacity for approved absences. As FMLA currently directs, employers may decide whether leave taken must be taken in a continuous time period. Congress is currently considering adding new stipulations to FMLA, such as mandating that employees provide proof of physical fitness upon returning to a job.<sup>9</sup>

According to FMLA, as detailed under U.S. Code of Regulations, all public agencies are covered, regardless of the number of employees.<sup>10</sup> Employers and employees are given the discretion to substitute paid vacation, personal, or family leave for FMLA leave (29 CFR 825.207).<sup>11</sup> Indeed, after careful scrutiny of city and public education system policies, it was found that in most cases, employees were required to use their sick leave, and in many cases vacation leave, in conjunction with FMLA leave. Any type of paid leave was to be exhausted

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<sup>8</sup> A company falls under the Act if it employs at least fifty people (Conway et al., 1999). However, the company may deny an employee leave if she falls within the salary range of the top ten percent of paid workers (Conway et al., 1999: 78). Moreover, the employee must have been working for at least a year to fall under the FMLA umbrella of protection.

<sup>9</sup> <http://www.washingtonpost.com/wp-dyn/content/article/2008/04/23/AR2008042303379.html>, last referenced July 3, 2008.

<sup>10</sup> 29 CFR 825.104. 29 CFR 825.108 provides that in the private sector, FMLA applies so long as an organization has 50 employees within 70 miles of the workplace.

<sup>11</sup> Similarly, workers' compensation can be counted as FMLA leave. If an employer has a plan allowing "paid time off," it denotes that an employee will use their own accumulated paid leave.

concurrently with the twelve weeks of FMLA unpaid leave. Public employees are additionally able to use their compensatory time simultaneously with their FMLA leave.<sup>12</sup>

The United States' system of federalism generates leave policies that differ state to state and from city to city.<sup>13</sup> FMLA's nebulous meaning allows such variation in policy in U.S. organizations, both public and private. The following will briefly describe how leave policies have been portrayed in the literature though most of the work has concentrated on policies in the private sector. First, however, a brief clarification of the term "family leave" is provided.

FMLA covers care of immediate family members but only leave related to the birth of a child will be considered in this study. Ideally, maternity leave policy would be the focus of this study, but as many organizations place maternity-related leave under an umbrella policy typically called "family leave," the designation as such remains.<sup>14</sup> Joesch (1997) distinguishes between maternity and family leave where the former is regarded as a type of disability and the latter has to do with the care both parents can provide. "Family leave" therefore might be a more accurate term used to describe leave taken in conjunction with pregnancy. Physical complications arising from pregnancy are different among women, as are the psychological and emotional effects. Additionally important is the time spent with a newborn. Viewing leave related to pregnancy as the female physical incapacity to work is far too simplistic because it overlooks the significance of childbirth in the woman's, and the family's, lives. If it is the partner who must take time off for the care of a newborn, his or her contribution is undervalued

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<sup>12</sup> 29 CFR 825.207 explains compensatory time off as being overtime hours converted into leave in lieu of the employee getting paid. Law enforcement officers are allowed up to 480 hours of compensatory time.

<sup>13</sup> Kittilson (2008) examines the level of federalism in studying different countries' family leave policies and finds no significant relationship between the two.

<sup>14</sup> Some confusion resulted during the course of my research in that if "maternity leave" was the requested policy, none was found. Even in school districts this was found to be the case. For example, Indian River City Schools in Vero Beach, Florida, relies on FMLA for their district's policy, which does not differentiate between different types of family-related leave (see Appendix).

as well. Since FMLA is theoretically gender neutral, and deliberately entitles fathers to the same twelve hours of unpaid leave after the birth or adoption of a child, “family leave” can indicate that both fathers and mothers are able to take time off. As the focus of this study is women’s representation and policy, “family leave” will refer to the leave available to women due to the birth of a child.<sup>15</sup>

Operationalization of family leave has been conducted in studies of private industry. Wisensale and Allison (1989) create a framework in which leave is broken up into five categories: type, gender specificity, length of leave, public v. private, and company size measured in the number of employees.<sup>16</sup> For lack of variability, they drop maternal leave from their analysis, subsuming pregnancy-related leave under the “family leave” heading. Fourteen substantive “family-supportive” policies are delineated and tallied by Raabe and Gessner (1988).<sup>17</sup> They also enumerate three types of accommodations offered by organizations: time for parenting, provisions for outside childcare, and provisions for counseling or education services.<sup>18</sup> They were able to distinguish between what they identify as formal written policies and the informal policies that result from actual practice. They further distinguish between

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<sup>15</sup> Based on my research, there is no reason to believe that the policies should differ for adoption. The analytic focus of this study is pregnancy, not adoption, because of its undeniable characterization as a women’s issue. Thus, the distinction is necessary.

<sup>16</sup> Specifically, in their study, type of leave fell under three categories: maternal, parental, and family where family was the most expansive type encompassing the former two types. Maternal leave is automatically assigned the category of a disability whereas parental leave allows for caring for a newborn as well as a sick or adopted child. Family leave, including all of the aforementioned categories, also allows for the care of a sick spouse or elderly parent.

<sup>17</sup> These fourteen included: paid maternity leave of at least six weeks, paid personal days for family matters, flexible hours, part-time work with benefits, job-sharing, paid paternity leave, parent education seminars, counseling for family matters, information/referral-community childcare, childcare at the workplace, employer subsidies for community childcare, spouses may be employed by same organization, right to same pay, seniority after leave, and the flexible benefits plan that allows a continuation of health care.

<sup>18</sup> By concentrating on New Orleans employers, they claim to avoid the pitfalls of low generalizability brought about by national sampling in which response to mail-in surveys is sporadic. Secondly, by concentrating on one city they were able to conduct thorough interviews in which the actual details of policies were given.

“modified” adoptions of the policies and unmodified, which denotes that the implementation followed most of the components of the written policy.

Within the United States there exists a significant amount of variation among states due to incongruent views on government’s role in aiding mothers.<sup>19</sup> In an assessment of family leave policies in the 1980s, Wisensale and Allison explore the ways in which some states have succeeded or failed in developing state family leave plans as well as examining in some detail the various recommendations targeted at national change that preceded the FMLA. The Clay/Schroeder Bill of 1987, for example, would have given 18 weeks of unpaid parental leave for birth, adoption, illness of a family member, and would have covered public and private employers with 15 or more employees (Wisensale and Allison, 1989). None of the federal plans proposed in this time period included conditions for paid leave. For the most part, however, state family leave policy mimics that of the federal.<sup>20</sup> Local governments and private entities are given much discretion by their states in how their leave policies may be crafted. Just as bureaucratic culture will affect policy, as discussed below, local culture will become an important determinant in the scope of family leave.

### ***The result of historical compromise***

The very concept of family leave has been brought about by the entry of women into the workplace (Scharlach and Grosswald, 1997).<sup>21</sup> If this had not occurred, time off would not be necessary due to a long tradition of women monopolizing the domestic sphere, caring for the

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<sup>19</sup> The National Partnership for Women and Families, for example, identify eight categories of types of paid leave being practiced and introduced in various states. They list the following: At Home Infant Care, Baby Unemployment Insurance, Family Leave for School Activities, Family Leave Insurance (as practiced in California), Leave Transfer Programs (allowing other employees to donate their sick leave), Paid leave studies (experimental programs designed to test their viability), and Paid Medical Leave.

<sup>20</sup> The U.S. Department of Labor provides a comparison chart of state policies that are somewhat different in content (<http://www.dol.gov/esa/programs/whd/state/fmla/index.htm>, last referenced July 3, 2008).

<sup>21</sup> Scharlach and Grosswald also mention the increasing rates of children having to care for elderly parents as having an impact on the desirability of family leave policy.

children and keeping house. Of course, poorer women have not had the luxury of choosing one role over another as they have often been thrust into the workplace due to the impossibilities of surviving on one wage alone. Even though women's work was sought after in the workplace, women's needs as mothers were seen as problematic to the employer because of the seemingly privileged consideration they required. While women were often viewed as cheap labor in the past, sought after when social or economic conditions required it, they were also viewed as financial burdens to the company due to the possibility that they might have children in the future. Therefore, after the need for women disappeared, like following the return of men from wars, so too did women from the workplace.

To fully appreciate the magnitude of FMLA and its consequence for employees of public agencies, it must be placed in historical context. The Comprehensive Child Development Act of 1971 (CCDA) failed to be adopted because it would have allowed women considerably more freedom, which would have enabled them to compete more successfully with men.<sup>22</sup> Nixon's veto was justified on the grounds that it would destroy the traditional family (Post and Siegel, 2003). Realizing that this tactic was unworkable, other types of approaches to addressing the employee-employer relationship were attempted and the 1978 Pregnancy Discrimination Act was the result. It was able to reconcile the need for women in the workplace with the value of encouraging women to be mothers. Yet feminists were unsatisfied with this, leading to the more gender-neutral Family and Medical Leave Act of 1993 (Post and Siegel). Post and Siegel's study did not specifically identify who these feminists were, perhaps because they were not as organized as they were with other women's issues, nor were they, as a cohesive entity, dedicated to a universal paid leave policy.

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<sup>22</sup> The act provided for two billion dollars for Head Start, day care, and other education for free for many poor families and a sliding scale for the less impoverished (Post and Siegel, 2003).

A result of the 1978 Pregnancy Discrimination Act was to frame pregnancy as a disability, thus preventing discrimination based on pregnancy alone.<sup>23</sup> Well-meaning policies that have emerged since still treat pregnancy as a disability and have confined women to the role of primary care taker as well as a burden on the employee for the potential disability they may suffer. From examining the policies, pregnancy is listed as a condition that could qualify as sick leave and some organizations even mandate the use of sick leave before going on unpaid FMLA leave.<sup>24</sup> Out of 79 legislative proposals for paid leave, 23 are categorized as a type of disability bill and 41 are categorized as “insurance” of some type, mainly unemployment.<sup>25</sup> Exemplary of the U.S. government’s slow progress in conceptualizing paid leave as a right, not a privilege, only nine bills simply refer to the leave as paid family or parental leave.<sup>26</sup>

Law enforcement has taken enormous strides in accommodating women officers as demonstrated by the varied departmental family leave policies that go beyond the basic requirements of FMLA. Kruger (2006) writes, on behalf of women police officers, that the only real disability related to childbirth that should afford women extra rights is the temporary physical incapacitation of the female during the actual child birth. In other words, traditional notions of motherhood need to be eradicated in favor of equal treatment for both sexes and the physical complications surrounding child birth is the actual disability. Confining the disability to as small a gap in time as possible still does not address the fundamental problem of how a woman’s pregnancy is treated overall--a voluntary disability.

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<sup>23</sup> In so doing, many women are not covered by the act because they are not covered by disability insurance (Conway et al.).

<sup>24</sup> The New York City Police Department stands apart by offering “unlimited sick leave”, up to 8 weeks, for pregnancy related purposes, thereby allowing paid leave that does not require employees to exhaust their own accumulated leave.

<sup>25</sup> The National Partnership for Women and Families (NPWF) reports the titles of paid leave proposals from 2000-2005 ([http://www.nationalpartnership.org/site/DocServer/Final\\_2006\\_Round\\_Up.pdf?docID=2161](http://www.nationalpartnership.org/site/DocServer/Final_2006_Round_Up.pdf?docID=2161), last referenced July 3, 2008). In a study of legislative paid leave proposals using the NPWF report, Dittmar (2008) lists bill proposals by bill type, from which the statistics here are gleaned.

<sup>26</sup> Six of these bill proposals fall under the category of “wage replacement savings.”

FMLA has done little to counter prevailing attitudes of pregnancy as an inconvenience to both the woman as an employee and the employer who is affected by her absence. Tensions within the feminist movement reflect those of society's dilemma in providing women equal rights on par in every way with those of men or acknowledging and accommodating their differences (Stetson, 2004). Wolbrecht (2000) describes the transformation of women's demands as moving from an equality versus protection debate to one of liberalism versus traditionalism. Women's ability to bear children poses an interesting dilemma. While women may want to be treated the same as their male counterparts, the reality is that they are sometimes different in the sense that they are physically debilitated during pregnancy whereas men are not.

The end result has been contradictory messages which are translated into mollifying policies that are both right-giving and at the same time sustain conventional attitudes of a woman's place in the household. Post and Siegel (2003) compare FMLA to the desegregation of schools in that the Equal Protection Clause does not call for actual desegregation, but it can be understood as its practical extension. In so doing, it becomes obvious why FMLA is as moderate a policy as it is. FMLA, like affirmative action programs, is an attempt to satisfy both parties, while not significantly altering conventional ideas about working. Wolbrecht (2000) refers to FMLA's impotency resulting from severe party polarization. Because FMLA was a compromise, its provisions are moderate.

The literature mentions feminist groups as key to the development of FMLA but it is unclear who these groups were and the dialogues concerning the policy's make-up. Fine (2006) assesses the feminist character of the policy by utilization of three major approaches in feminism, liberal, Marxist, and constructivist, and finds that using any feminist yardstick FMLA falls short. It is unclear which groups supported FMLA, and for what reasons, causing feminist

performance evaluations to be difficult. Fine's analysis suggests that FMLA was really more of an accumulation of social and political changes rather than a product of any one group's efforts. She points out that the number of mothers in the workplace, both single and married, increased. It seems safe to say that FMLA is more a reflection of more mainstream social forces that have been shaped by the women's movement, but it is also shaped by the past. The women's movement, therefore, may be indirectly credited for FMLA but it cannot be viewed as the result of feminist toil.

### ***History of FMLA in the women's movement***

The Family Medical Leave Act does not receive much treatment from authors writing on the history of feminism in the United States. Perhaps this is due to its perceived inconsequential impact on women. *Well-paid* family leave policy appears to be a universally agreed upon solution by feminists but efforts at adoption are apparently deemed a futile enterprise. California is praised for providing the nation's first paid leave but the benefits are small and dependent on a demonstration of physical disability; 55 percent of wages up to a maximum of \$917 per week for up to six weeks, and only those participating in the state's disability program are eligible.<sup>27</sup> New Jersey joined California and Washington in May of 2008, as the third such state offering a maximum of \$524 per week.<sup>28</sup> Like California, it will use the state's existing disability program for funding participating private and public entities.

California is still far from providing coverage to a majority of pregnant workers and Wisensale (2006) writes that only four other states have the infrastructure (a statewide disability fund) necessary for such leave allowance for businesses that choose to participate.<sup>29</sup> In 2009, Washington state employees will begin collecting partial paid leave for pregnancy related

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<sup>27</sup> [http://www.edd.ca.gov/pdf\\_pub\\_ctr/de2589.pdf](http://www.edd.ca.gov/pdf_pub_ctr/de2589.pdf), last referenced July 3, 2008.

<sup>28</sup> <http://nj.gov/governor/news/news/2008/approved/20080502.html>, last referenced July 3, 2008.

<sup>29</sup> Wisensale lists Hawaii, New Jersey, New York, and Rhode Island.



reasons (up to \$250 a week for 5 weeks) but, unlike California's Pregnancy Disability Act, the employee's position in the company is protected upon return.<sup>30</sup> So long as California and Washington are heralded as the providing the pinnacle of maternity leave, the generosity of leave policies in other countries will not be seen in the U.S. for quite some time.

While the women's movement can undoubtedly be credited with much of the political change in women's rights, the direct impact of women's groups, such as NOW, on family leave policy is not clear. At the local level, the literature concerning their influence on family leave is silent. Dolan et al. (2007) claim that women's impact on politics has been effective at the grassroots level, but mainly through nonpolitical groups for fear of cooption. Therefore a closer examination at the local level should yield some interesting relationships between feminist activity and family leave policy.

NOW's main focus when it comes to women and work, according to Barakso (2004), is the effect that poverty and violence have on employment rates. This does not necessarily preclude local chapters from pursuing family leave policies in their communities, but the focus has not been on FMLA or FMLA's impact on local policy.

Understanding the seemingly dismissive attitude towards FMLA on the part of the women's movement entails an understanding of the political environment at the time of its passage. Moreover, the extent to which the women's movement has incorporated the individualistic American work ethos needs to be understood as well. At the time of FMLA's beginning, political debate revolved around the responsibility of fathers and the Personal Responsibility Act (PRA), later passed in 1996. This act hoped to ensure that fathers would pay for child support, not the government (Mink, 1998). While citizens do not enjoy the prospect of

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<sup>30</sup> <http://apps.leg.wa.gov/documents/billdocs/2007-08/Pdf/Bills/Senate%20Passed%20Legislature/5659-S2.PL.pdf>, last referenced July 3, 2008.

their taxes going to undeserving non-workers, citizens do seem to value the contribution of a mother's work. Mothers who work outside of the home seem to evince more political and social empathy than those who do not. Still, in either sense, an extensive family leave policy would arguably be perceived as coddling mothers who made the choice to become pregnant.

Mink (1998) explores the tension between social values that reward middle class mothers who conform to traditional notions of the family and choose to stay at home and those who stay at home because they cannot find work. Those middle class women who stay at home reap the social reward of being a good mother while impoverished women are seen as poor providers for their children. Further adding confusion to the debate over a mother's role are those mothers who choose to work even though their husbands make a comfortable living. Those women who must work, but are in no way as disadvantaged as those who require welfare, do not fit into the framework of the social value system. They are economically useful in their outside work and, because of this, are considered appropriate role models to their children. Yet, as mothers, they are expected to stay at home.

When race is factored into analysis these contradictions in social values become even starker. Interestingly, welfare and racial views have been found related in that views on one affect views on the other (Gilens, 1996). A mother's social standing appears to be predicated upon what racial group she belongs to as well her economic status.

Middle class working mothers fulfill their socially accepted role as mothers and their employment is consistent with the American work ethic. Instead of addressing the possibility that mothers really do require special treatment, the women's movement has been more active in promoting equal rights that are not gender-specific. It seems, however, that in so doing, the promulgation of men's rights continues; it is now taken to mean that when women have men's

rights, fairness prevails. Some argue that paid labor is a right and mothers, who do not participate in the labor force, are no different than any other working member in the U.S. economy and are therefore deserving of pay (Mink, 1998). That is, mothers serve a special purpose to society that should be rewarded in it of itself. When it comes to mothers, the women's movement appears to mirror much of the same ideology as the American public when it comes to workers' rights with only sporadic assertions of a radical nature.

In an illuminating account of how American ideology is translated to citizens, Korteweg (2002) argues that middle-class working mothers are used as idyllic exemplars of the American work ethic. These mothers embody the value of family as well. Korteweg claims to build upon Mink's research by examining the actual welfare implementation process as carried out by caseworkers. She studied the interactions between California TANF Job Club workers and found that the beneficiaries, the mothers, were taught to think of their jobs before their families. Indeed, the study suggests that women were told that to be good mothers they had to be good workers first so that they could be role models for their children. Korteweg writes, "Job Club trainers used feminist rhetorical strategies to reinforce a welfare state-initiated understanding of work that delegitimized the claims women might want to make vis-à-vis the welfare state" (27). FMLA is applicable only to working mothers fortunate enough to be covered by it and, even then, will only offer as much assistance as the American conceptual ideal of hard work will allow.

The women's movement may be pushing for federally mandated paid leave for either parent, but their efforts have been rather piecemeal in the face of social, political, and economic resistance. That impetus might have to come from the affected population, the working mothers. If these working mothers grow to a sizeable contingency, their combined efforts could reshape

the face of the women's movement. NOW may be inaccessible to many working mothers for reasons of time and perhaps even more importantly, ideology. There may be a disjunction between the supposed women's movement and the working class of women in the United States. While only speculation, a new women's movement may be on the horizon; one that draws from a group of women that do not consider themselves as activists per se but are nevertheless interested in stimulating a policy that is grounded in the more radical strains of feminism.

Today, the question of how to frame women's issues, directly related to the problem of politically and socially defining what it means to be a woman, remains unanswered. FMLA contains views of feminists who strive to be legally recognized the same as men, as well as the views of feminists who argue for the existence of special rights based on bona fide differences between mothers and other women. The contradicting values represented in FMLA contribute to the confusion surrounding the status of mothers in the workplace.

As the following section illustrates, FMLA has had a minimal impact on the business community. By setting the standard for leave policy so low, it encourages a variety of leave policies in the United States which barely exceed the federally mandated requirements. In this respect it seems then that ultimately FMLA reflects the values of "equality" feminists, whose views are most akin to that of the American ethic of individualism and free enterprise, more than the "difference feminists."

### ***Studies on family leave: evaluating the impact of FMLA***

If the leave policies of individual organizations are minimal, it is due to a fear of economic repercussions (Scharlach and Grosswald). Therefore, much of the research on United States family leave policy has been on the consequence to business proceeds. Finding little support for economic difficulties, studies have turned to the possible indirect effect of employees

possibly taking advantage of their leave. As will be evidenced below, little support was found in this area as well.

Twelve states preceded the federal government's 1993 act by instituting maternity leave legislation of their own for either governmental or private employees (Ruhm 1997; Klerman and Leibowitz, 1990; Waldfogel, 1999). Studies evaluating FMLA's impact on businesses show only a mild change between original and updated policies and little or no impact on overall revenue (Ruhm, 1997). Ruhm states that, "Enactment of the FMLA has led to substantial changes in formal employer leave policies, but it has had a more modest effect on the actual use of family and medical leave" (182).

The National Small Business Association, in a survey of 268 business owners at the beginning of 2007, reported that 75 percent of the respondents reported that 70-100 percent of their employees were eligible for FMLA. However, 83 percent of the businesses that reported this level of eligibility for FMLA reported that fewer than 5 percent of their employees actually took it. This most certainly calls into question the usefulness of FMLA regulations if employees are simply not taking advantage of it. Unfortunately, this study does not specify the percentage of employees who were eligible due to pregnancy or childbirth, nor does it explain how their company handles such an event. It is unclear whether or not companies typically provide a mixture of vacation and sick days or perhaps offer light duty assignments.<sup>31</sup> In any event, the reasons for which employees are taking FMLA leave are not given nor do we know whether or not these employees would have taken this leave regardless of FMLA.

Evidence of FMLA's rather lackluster effect on the status quo is found in the absence of significant challenges to it. However, when a state wishes to extend benefits, resistance from the business community can be expected. The National Federation of Independent Business (NFIB),

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<sup>31</sup> Thirty-eight percent of NSBA respondents did not offer paid sick leave.

for example, has officially denounced Washington's paid leave policy and New York's pending leave bill, claiming that small businesses will be adversely affected by it.<sup>32</sup> NFIB has also lobbied against policies seemingly less threatening, like Ohio's proposed legislation to reduce FMLA requirement from 50 employees to 4.<sup>33</sup> Conclusive studies demonstrating the negative consequence of more family leave policy on businesses have not been conducted, to my knowledge, as of yet.

Much of what is known concerning FMLA's actual effect on employers and employees is derived from the 1995 Westat Inc. surveys and the University of Michigan Institute of Survey Research (Ruhm, 1997). Westat and ISR surveys consist of random samples of businesses, excluding governmental entities. The fixation on the private sector can perhaps be best explained by the expected resistance, especially among smaller businesses, against government mandated family leave (Monroe et al., 1995). Connecticut was the first state to pass a bill that would provide for family leave, but the bill was limited to public agencies. Businesses were not threatened by the legislation and consequently did not mobilize against the bill (Wisensale and Allison, 1989).

Assessing FMLA, Waldfogel (1999) considers maternity leave as it directly affects women. As well as increasing the number of women who are at the very least guaranteed unpaid leave, Waldfogel found evidence that many companies actually provided more benefits than required by law before FMLA took effect. This finding may have been caused by a temporal variable such as a sudden increase of professional women in the work place at the time of the survey. Larger companies found it in their best interests to provide leave policies that would be attractive to professional applicants and would help retain women once on the job. The

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<sup>32</sup> [http://www.nfib.com/object/IO\\_32057](http://www.nfib.com/object/IO_32057), last referenced July 3, 2008.

<sup>33</sup> [http://www.nfib.com/object/IO\\_35270.html](http://www.nfib.com/object/IO_35270.html), last referenced July 3, 2008.

downside of leave, reduced revenue, and the potential for excessive leave-taking, was apparently outweighed by the retention of qualified female employees.

If law enforcement agencies and other government organizations are apprehensive about policies that attract the potentially pregnant, it may be because, as some studies suggest, the existence of maternity leave might lead to more women taking time off to bear children (Waldfoegel, 1999, Averett and Whittington, 2001). Waldfoegel's study shows that as a result of FMLA, medium-sized business firms witnessed an increase in leave-taking whereas larger firms were largely unaffected by the legislation.<sup>34</sup> Waldfoegel argues the results may be due to the fact that larger firms already had substantial leave policies, owing to their ability to offer more services to their employees. Averett and Whittington (2001) explore a potentially more direct relationship between maternity leave policy and actual leave taken by examining the possibility that mothers take advantage of such programs by having children when they otherwise might not have. However, little support was found for this.

Averett and Whittington also do not find evidence that women purposefully select jobs based on an organization's maternity leave policy. Averett and Whittington's use of the National Longitudinal Survey of Youth allows them to infer which women want children, thus more accurately measuring how a company's maternity leave can influence pre-employment decision making.<sup>35</sup> Unfortunately, they are not able to provide data on whether or not a firm offers paid or unpaid maternity leave. This omission underestimates the impact of maternity leave on women's job choices. The decision to take one job versus another is probably determined more by occupational preference than it is a desire for motherhood. The substance and stipulations of

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<sup>34</sup> Waldfoegel (1999) points out that only 12 states provided some sort of job protection for maternity leave. After FMLA, those states that did not have such protection witnessed an even greater increase in leave-taking by women.

<sup>35</sup> The U.S. Department of Labor has conducted several such surveys of subjects in adolescence and later in adulthood in order to study their economic and social activity (<http://www.bls.gov/nls/>, last referenced July 3, 2008).

maternity leave as well as the bureaucratic culture of an organization are more informative determinants of pregnancy decisions.

Governmental policies are crucial in explaining whether or not a woman will be able to return to work after having taken leave to care for her newborn child. In deciding whether or not to resume a job once leave has been taken, Queneau and Marmo (2001) in a review of literature on leave taking, argue that employment, health, and economic variables are key to predicting the length of a maternity leave. They further point out that social factors play a crucial role as well, but do not conduct their own analysis to test this possibility. Armenia and Gerstel (2006) compare leave taking rates among men and women, finding that white men are the least likely to take leave. In law enforcement, the norms and values of agencies most certainly impact women's behavior on the job as well as women's decisions to even apply.

### ***Bureaucratic norms as determinants of leave-taking***

It is almost a truism that women are drawn to social welfare jobs, while men gravitate toward what are considered more masculine jobs. These decisions are probably perpetuated more by tradition and history than any inherent biological differences in preference (Conway et al., 1999). In the field of law enforcement, women are still severely underrepresented especially at the state and local levels.<sup>36</sup> Given law enforcement's vital purpose in regime legitimization and the messages conveyed to the public regarding law and order, social justice, and the status quo, it is essential to study how law enforcement has adapted internally to changing social mores. It is equally as important to study an occupation, such as public school teacher, that has been dominated by women. In the United States, where paid leave is not mandated, receiving

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<sup>36</sup> According to the 2000 U.S. Census Equal Opportunity Employment study, 21 percent of the total number of detectives and criminal investigators are women, while 13.1 percent of all police officers are women. Interestingly, in the private sector, women make up 34.8 percent of private detectives and investigators (<http://www.census.gov/index.html>).



and taking time off will be in large part dictated by informal norms as much as, if not more so, than by policy. It is important to study how norms influence leave taking because evidence suggests that longer leave results in better physical and psychological health for the mothers and, correspondingly, increased levels of job satisfaction (McGovern et al., 1997).<sup>37</sup>

Halpert et al. (1993) find that the social context in a woman's place of employment is important in determining how pregnancy is perceived. Undergraduate students were randomly divided into two groups and asked to watch a videotape wherein a female employee was engaged in various work-related activities. The activities were identical but the women were pregnant in one group and not in the other. Students were then given a form to rate the performance seen on the tape. While the stereotyping of fellow pregnant colleagues is engaged in by both men and women, Halpert et al. observed these attitudes to be more pronounced in men. Focusing solely on perceptions, they illustrate that a woman's job performance may be irrelevant in external assessments of a woman's contribution to the workplace. Future studies could improve upon these preliminary findings by utilizing collective action research. The occupation itself is a variable as is the gender of the evaluator, but the configuration of males and females in a work space along with their job responsibilities will surely impact views of pregnant employees. The influence of these group attitudes will have an effect on a woman's decision to continue working. How long a woman will work, or whether she will return from the pregnancy, is influenced by the work environment.<sup>38</sup>

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<sup>37</sup> In McGovern et al.'s 1992 study of Minnesota mothers, it was found that up to seven months time off is ideal for maternal health. They (1992) write, "The positive effect of time off work on maternal health was observed to begin at 12 weeks postpartum for vitality, at 15 weeks postpartum for mental health, and at 20 weeks postpartum for role function" (518). Interestingly they found that the majority of women were not taking the requisite time off for optimal health.

<sup>38</sup> An interesting point of departure would be for researchers to conduct surveys of different sectors to ascertain whether there are specific industry-related forces that drive family leave policy in one way or another. As Albiston (2005) notes, the free market is not value free because it tends to reinforce patriarchy and even bureaucratic

Wayne and Corediero (2003) examined perceptions of those men and women workers who took leave for pregnancy related reasons. Again, the study utilized undergraduate students not the employees themselves, thus discounting the effect of the workplace culture on attitudes towards fellow coworkers. They found that both men and women thought less positively of men who left work for reasons of childbirth than women who took time off for the same reason. Speculating that perhaps women are perceived as having to shoulder most of the physical burden of pregnancy and are therefore more deserving of time off, Wayne and Corediero suggest that future studies should take different job sectors into account as well as the bureaucratic cultures that foster certain gendered environments.

Kim (1998: 79) states that, “To analyze the implementation process of family leave, researchers need systematic knowledge of organizational factors affecting family leave implementation.” Ultimately, the barrier to effective policies could be the socio-cultural environment of the agencies themselves. By making family leave gender-neutral, FMLA underscores the dual responsibility of parenting and encourages both men and women to assume the traditional maternal role of caring for a child. As Kim points out, how an agency actually frames its policy and perpetuates certain values at the expense of others is going to have some bearing on an employee’s decision to take leave.

Bureaucratic culture is difficult to define and scholars have only approximated its influence by examining indirect indicators such as the number of women in an organization. Noting the differential rates in male and female use of FMLA, Baird and Reynolds (2004) examine rates of leave taking among both sexes, paying special attention to organizational factors. The size of the organization, the gender distribution of employees, and the gender of

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principles of conduct. Studies of bureaucracy illustrate the importance of norms in the workplace and how they can differ widely between places of employment.

supervisors all proved significant in determining awareness of an organization's leave policy. Still, the employee's gender was the biggest determinant of family leave knowledge. They compare rates with awareness of leave policies claiming that employee knowledge of leave policy reflects an organization's attitude towards family. Naturally this does not tap into actual levels of leave taking. But it is presumed that organizations that make their policy more visible and thus accessible to employees will welcome leave taking more than organizations that do not.

Mercer (1993) states that the most significant obstruction to a comprehensive company leave policy could be the supervisor's behavior. Interestingly, Baird and Reynolds found that women supervisors were less likely than men supervisors to facilitate access to leave. They suggest that this may be because women in higher level positions face a greater pressure to conform to an organization's orthodoxy than men. Baird and Reynolds (2004) write, "Women with the most organizational authority know less about family leave benefits than women with less authority do, while men's knowledge increases with their authority" (344). The knowledge of leave policy may be influenced by personal experience suggesting that perhaps male supervisors, more than female, have had to deal with pregnancies.<sup>39</sup>

Public opinion of motherhood, along with political discourse, has shaped the development of FMLA. Similarly, the bureaucratic culture of the implementing agencies also provides invaluable information regarding the status of women's rights in that particular place of employment. Cultural pressures are so strong that even men and women who have leave time

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<sup>39</sup> Waner et al. (2007) found that women, evaluating the merits of one job over another, generally put more emphasis on family leave benefits than men. Again, the test subjects were undergraduate students not employees.

available do not always take full advantage of it. Scharlach and Grosswald (1997) point out the fact that leave being unpaid is possibly the most important barrier to taking leave.<sup>40</sup>

In the past, family leave bills were particularly difficult to pass in Congress (Wisensale and Allison, 1989). Despite the importance of women's rights in the workplace, comprehensive studies of the political entities and interest groups involved in promulgating social policy are not well-documented. Those that focus on U.S. family leave have relied on more traditional modes of studying policy formation by narrowing their focus to U.S. House members' roll call votes (Monroe et al., 1995).<sup>41</sup> This overlooks the vast political network, including women's advocacy groups, within which members must work. It is in the framing of policy, shaped by many different voices, that an understanding of its composition is gained.

### ***Family leave policy in the public sector***

Family leave policies in the public sector are even less studied than those in the private sector. The example government sets with policies that affect public employees is vital to understanding the policies of businesses and the attitudes of citizenry in expecting certain actions from businesses. There is no consistent family leave policy across government departments. The U.S. Office of Personnel Management, the agency in charge of leading federal leave programs, leaves the administration and the content of such programs to the individual agencies.<sup>42</sup> Due to FMLA's vague construction, it is not surprising that variation exists between agencies.

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<sup>40</sup> The record-keeping involved is also problematic, according to Scharlach and Grosswald. Moreover, the fact that intermittent leave, as allowable under FMLA, can cause a great deal of frustration for the employer also hinders its usage.

<sup>41</sup> Based on their findings, Monroe et al. conclude that the most support family leave advocates could possibly garner from political officeholders is through the support of more sympathetic office seekers.

<sup>42</sup> As per form OPM 71, Request for Leave, questions regarding an employee benefits are directed to the agency's personnel office and/or supervisor. OPM intervenes only when there are serious questions of eligibility.

It is not unreasonable to expect the public sector to generally provide the most comprehensive and mother-friendly plans. Government workers are more secure in their jobs than private sector workers and in general receive more generous benefits. Noticing the dearth in FMLA's application in the public sector, Kim (1998) examines public agencies in New York State, noting that New York's policy on leave related to childbirth was, and is now, much more comprehensive than other states.<sup>43</sup> Unfortunately, her study only examines the total amount of leave taken by employees in selected agencies, and not the policies of the agencies themselves or the variation in their application. Her study found that in "male-dominated" agencies, the least amount of total FMLA related leave was taken whereas in more "female-dominated" agencies the most amount of leave was taken. Kim also finds that men are more likely to use FMLA for serious health conditions. Interestingly, both men and women were overwhelmingly more likely to use FMLA for health related reasons rather than childcare. Her conceptualization of a "male dominated" agency is somewhat underdeveloped as it defines such an institution purely by the percentage of males and females. The socio-cultural construction of the particular agency's attitudes towards appropriate gender roles is neglected.

In a later study, again based on two public organizations in New York, Kim (2001) delves into organizational structure related to the culture, the commitment of personnel administrators, and teamwork management. The study addresses employee and employer perceptions, thereby measuring satisfaction more than identifying concrete linkages between organizational factors and policy.<sup>44</sup> Still, much can be said for employee satisfaction and substantive leave policy. Organizations that have such policy, and make it readily available, will

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<sup>43</sup> For example, New York state employers recognize "spouse equivalents" and provide for leave that is half an employee's salary.

<sup>44</sup> Admittedly, this is a difficult task because only two departments in New York are examined. Increasing the n and allowing cross-departmental comparisons would perhaps result in better predictions of the types of organizational factors that can influence policies.

likely have more satisfied employees. Unfortunately, Kim leaves the external environment unidentified thereby potentially overlooking some important political and social variables in that community.

As Post and Siegel (2003) explain, steps taken by Congress in the 1960s left gender discrimination open to scrutiny by all levels of society. Also important was the role of the feminist groups and extra-congressional political figures in raising consciousness. They state:

The movement thus forged constitutional meaning out of a variety of resources including constitutional text, collective memory, mass action, the techniques of social movement organizing, the beginnings of a litigation campaign, the apparatus of the party system, and, finally, the lawmaking resources of Congress itself (Post and Siegel, 2001).

A better understanding of women's rights as mothers requires a systematic and comparative study of a public agency that has a history of gender discrimination. Compiling data on city governments, the socio-political contexts in which they are situated, and analyzing the actions of major decision-makers will hopefully elucidate the status of women's rights.

The media has become increasingly interested in following the fight for maternity leave, reporting the gross inequities between U.S. policies and the policies of other developed countries. Family leave legislation at the state level is receiving coverage. For example, *The Plain Dealer Reporter*, out of Cleveland, detailed Ohio's plan to provide the 12 weeks of leave without FMLA's 50 employee stipulation. The newspaper is openly critical of the magnitude of this policy change.<sup>45</sup> Much of this recent interest can be attributed to interest groups, such as

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<sup>45</sup> "Benefit or burden?; Ohio tweaks 12-week maternity-leave plan, pleasing small businesses who fear hardship." *Alison Grant* business section, 4 November 2007.

*Policy Matters Ohio*<sup>46</sup> in the aforementioned example, that have drawn attention to the issue of maternity leave and are becoming less likely to compromise than groups have in the past.

Of course, women's groups are not the only maternity leave advocates, as employees themselves have at times entered into the legal fray. Both male and female police officers have pointed out discrepancies in application, sometimes choosing courts to resolve disputes. The recent decision of the Tenth Circuit Court of Appeals resulted in a reexamination of the Albuquerque Police department's policy after female officers complained of discrimination.<sup>47</sup> The department prohibited the use of vacation and other paid leave except for sick leave, in conjunction with FMLA.<sup>48</sup> This case demonstrates the weakness of FMLA if no provision exists for the right of an employee to use his or her own accumulated paid leave for family care.

### ***Conclusion***

Post and Siegel's (2003) historical overview of FMLA overlooks the various extra-governmental groups involved in influencing Congress. It also overestimates the Act's effect on conventional gender role perceptions and exaggerates its negative consequence for states, some of which previously had more progressive policies in place. At best, FMLA is a compromise between traditional and progressive social values. At worst, FMLA is minimally effective, leaving the job of promoting comprehensive family leave policies to the women employees and feminist groups. Unfortunately, little is known of the individual lobbying efforts of feminist organizations and their impact on leave at the local level. This project attempts to determine

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<sup>46</sup> This is a non-profit, research organization, working with such groups like the Institute for Women's Policy Research to improve the economic wellbeing of Ohio residents (<http://www.policymattersohio.org/>, last referenced July 3, 2008).

<sup>47</sup> *Cynthia Orr; Stephen Orr; and Patricia Paiz v. City of Albuquerque and Mary Beth Vigil* (2005) filed in the United States Courts of Appeals, Tenth Circuit.

<sup>48</sup> Some men in the department had been allowed to use worker's compensation while on FMLA leave. While FMLA does make the prohibition of paid leave time allowable by law, this obviously discriminating means of allocating workers compensation is not.

whether the presence and activity of feminist organization in the community affects a law enforcement agency's and school district's family leave policy.

While criticism of the liberal wing in the feminist movement never ceases, it continues to be the dominant voice of the women's movement. Liberal feminists contend that women's rights can be successfully lobbied for in the political realm and do not hesitate to use arbitration. These feminists also actively seek political office. The women's movement's emphasis on conventional political participation and representation facilitates the study of their impact. Chapter 5 will examine the movement at the grassroots level, attempting to isolate its influence on policy.

Young (2000) demonstrates the women's movement's impact on politics by focusing on NOW and the powerful influence of PACs, like Emily's list and The Wish List, but limits her research to the national level. According to Young, the women's movement in the U.S. is unique because diverse women's groups share a common interest in electing women to political office. While arguments of the merit of descriptive representation continue within the movement, women activists tend to agree that the election of women should be a top priority. Indeed, the women's movement seems to have naturally taken a two-pronged approach that recognizes the importance of politics and simultaneously strives to alter attitudes towards gender. The latter entails a radical restructuring of U.S. culture and the former is a direct effort to usher these changes in a more socially acceptable manner.

One plausible explanation for why family leave has not been a top priority for policymakers is that few women have been in positions of power to lobby for such a policy. With the increasing number of women in upper level management, in both political and private organizations, there has been a sizeable amount of research in political science to determine their impact on government institutions and the public (Fox and Lawless, 2000; Kerr et al. 1998; Campbell



and Wolbrecht, 2006; Dovi 2002; Hansen 1997). These studies have focused more on the effect of women leaders on women's employment patterns and women's attitudes toward government than on specific issues important to women. By focusing on a policy that is obviously of great relevance to women, an enhanced appraisal of women's impact on politics can be achieved. The spectrum of female representation is broad and encompasses a variety of actors. The next chapter examines the literature on gender and politics, demonstrating the usefulness of studying the two in tandem, and will demonstrate how feminist representation at the local level may foster an environment where family leave is a priority.

## CHAPTER 2

### **Descriptive Representation: The Unremarkable Female?**

In any discussion concerning the importance of women in political office, an understanding of the concept of descriptive representation becomes crucial. Pitkin (1967) explains that it entails an understanding that the representative resembles the represented, or “stands for” the represented, in some observably identifiable manner.<sup>49</sup> At the most basic level, having representatives in government who are women may be valuable because of their historical exclusion from politics. If one agrees that women are distinct from men in politically important ways, then a government that is dominated by men seems, *prima facie*, unfair. While the concept of descriptive representation is relatively straightforward in definition, in principle it instigates some disagreement over its connotations. The other type of representation, substantive representation, which is tangible activity that affects constituents directly, is widely viewed as often resulting from descriptive representation, but is not necessarily a product of it. In other words, women officeholders may fulfill the descriptive component of representation but not the substantive.

The portrayal of descriptive representation offered by Mansbridge (1999) is more dynamic than Pitkin’s, who sees it as a largely passive activity. It is only in substantive representation that “the activity we roughly designate by ‘governing’” takes place, according to Pitkin (90). To her, descriptive representation serves to satisfy a democratic philosophical principle that the governing body bears a semblance to the population but little else. Mansbridge, on the other hand, seems to see much activity resulting from descriptive representation, like in leadership and social discourse with other representatives (632). Both

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<sup>49</sup> She distinguishes between descriptive and symbolic representation, but in the political science literature they are often treated as one in the same. Pitkin describes both concepts as “standing for” types of representation.

authors agree that descriptive representation does not necessarily lead to outcomes that will be beneficial to a group. Pitkin appears to place less value on descriptive representation whereas Mansbridge emphasizes its potential importance, particularly in what it can do to facilitate discussion in government between different groups thus resulting in substantive representation.

When measured empirically, descriptive representation is typically operationalized dichotomously; a representative is coded as having the requisite characteristics of the group or not. Canon (1999) claims that discussions over the value of descriptive representation can only go so far because, like the concept itself, conclusions are dichotomous; either one believes that it is valuable or does not (54). Thomas (1994) explains that women's descriptive representation, and the change it creates in the type of dialogue and activity taking place in legislative bodies, becomes more important as it increases proportionately to that of men. In effect, there may be a "critical mass" at which women's descriptive representation becomes especially important. In order to demonstrate the value of including descriptive representation in analysis, a theoretical excursion into the literature on women's representation must be undertaken.

This chapter will expand on the notion that descriptive representation can lead to substantive representation, specifically in the form of comprehensive family leave policy. Later chapters examine what conditions are more favorable to such representation. Extracting women's representation from the contextual variables that may affect it allows for measurement that is useful to studying the value of such representation alone. If women's presence in legislatures affects policy outcomes, further analyses that study the complexities of this relationship are bolstered. Descriptive representation is an important theoretical aspect to feminist research that must be explored more thoroughly because its attainment has been considered crucial to obtaining policies consistent with those advocated by the women's

movement. A framework for studying political representation and the women's movement (discussed more thoroughly in Chapter 3) in tandem is offered. The constituency, which is working mothers, and the feminist orientation of the community, are posited as important determinants in explaining the leave policies of police departments and school districts. Before examining the broader community context, however, the relationship between descriptive representation and policy outcome must be explored more thoroughly, particularly because the proportion of women on a governing body is theorized to have an independent effect on policy.<sup>50</sup>

Descriptive representation as a concept and the operational definitions used to identify it will be examined first, followed by a discussion of whether evidence of gender differences in issue preferences exist in the general public. Next, research that examines the differences in officeholders' behavior is reviewed to determine whether there is evidence of a need for women representatives. Recent research has examined the link between women constituents and women representatives. After reviewing work in this area, an argument stressing the importance in studying "women's issues" is presented. If substantive impact is to be found, it will be through a proper operationalization of an issue on which women alone are expected to exert an influence independent of party affiliation or ideology.<sup>51</sup> Additionally relevant is the way in which representation itself is quantified, which is addressed in the final section with a review of critical mass theory.

The concluding theoretical section builds upon the critical mass (or threshold) theory by adding that women's representation needs to be examined in the context of collective behavior

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<sup>50</sup> School districts are usually governed by school boards but in some cases the board is controlled by city government. The possible effect of this institutional arrangement on policy will be examined more closely in the analysis.

<sup>51</sup> Carroll (1994) writes that women's issues occur "where policy consequences are likely to have a more immediate and direct impact on significantly larger numbers of women than of men" (15). In comparing different countries' leave policies, Kittilson (2008) uses Carroll's definition which, for sake of consistency, is utilized here as well.

where a particular configuration of women and men in legislative bodies acts as an independent, or specifying, variable affecting policy choices. Critical mass theory maintains, according to Beckwith (2005), that a certain percentage of seats held by women legislators will result in substantive representation.<sup>52</sup> However, an exact percentage at which such representation is achieved has yet to be identified. Beckwith broadens the scope of descriptive representation by taking the composition of the council as a whole into account. This allows for predictions based on different socio-political arrangements of the participants. It is, after all, interactions between members in a political environment that ultimately affect policy outcome.<sup>53</sup> Weldon (2002) explains that these are crucial to understanding how issues are discussed and framed for policy making. It may be found that the institutional and social context of descriptive representation is more important than a measure of the descriptive representation alone.

Dolan et al. (2007) write, “One of the most effective ways to influence policymaking is to get involved in electoral politics to make sure like-minded candidates are elected to office” (53). The women’s movement has worked tirelessly in this endeavor because it has been believed that women in political office will be sensitive to women’s issues. Many feminists have questioned the usefulness of descriptive representation, pointing out that working for the establishment may moderate feminist ideals. The necessity of women’s representation for “women friendly” outcomes is inconclusive. Some research demonstrates an impact on the representation of

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<sup>52</sup> Critical mass theory will be portrayed differently than much of the previous research in this area and will not be modeled dichotomously. Instead, as will be explained in the conclusion of this chapter, the effect of women’s representation on legislative bodies is postulated as linear until it reaches a “critical mass” and then plateaus. Thus, additional increases in women’s representation are hypothesized to affect the dependent variable until a point is reached where additional increases no longer matter and other variables become more influential. Admittedly, this stretches the conceptual tenets of critical mass theory but, in so far as it models the theory non-dichotomously, it is arguably an improvement upon some of the existing statistical representations of the concept.

<sup>53</sup> She (1999) states, “No matter how purely deliberative the assembly, reasons of synergy, critical mass, helpful dispersion and internal diversity insure that in practice each group will usually want to claim as many representatives on that body as is justified by proportionality” (637).

women in cities, specifically the necessity of having local female political figures to promote woman friendly policies (Fox and Lawless, 2000). Yet, research on city governments remains scarce as is apparent in the literature review below. It is hoped that this study provides some insight into women's representation at the local level.

### ***Descriptive representation: a review of the concept***

Biological sex, like race, is only as important as social consensus claims it is and both have been considered grounds for social divisions. Those advocating the superiority of substantive over descriptive representation for racial minority groups vary in the severity of their critique of descriptive representation. Much of the criticism comes from analyses that focus solely on a direct linkage between descriptive and substantive representation, ignoring other variables and the socio-political context. Swain (1993), for example, is concerned that the push for descriptive representation for blacks has had a negative affect on substantive representation. She claims that descriptive representation has been falsely portrayed as an indicator of political advantage for the black community. The measure of descriptive representation is dichotomous but its meaning differs among theorists. Mansbridge, for example, postulates a variety of benefits arising out of descriptive representation, like the enhancement of political efficacy among represented constituents. For Mansbridge, the social connotations of being female or belonging to a racial minority group are so strong that they are entangled with the physical. Swain ignores the theoretical benefits of descriptive representation.

According to Weldon (2002), representation that is effective is not due to an officeholder's personal experience but to whether or not that person holds a group perspective. The two are widely expected to be related. Without possession of the physical characteristics of a particular group, which necessarily leads to the social experience of belonging to that group,

attainment of a group perspective is arguably more difficult. Therefore, the likelihood of a woman officeholder advocating women friendly policies is theoretically higher than for that of a male. Despite the arguably inseparableness of the physical and the social condition of being a woman, women officeholders, of course, might differ in their level of consciousness and understanding of this group perspective. Descriptive representation alone, understood dichotomously, is not always sufficient at predicting women-friendly policies. In other words, descriptive representation has been measured in terms of biological sex but understood to be indicative of gender, a more complex measure. Just as descriptive representation should not be confused for substantive representation, sex should not be confused for gender when interpreting the results of quantitative analyses. Throughout this study, gender and sex are utilized interchangeably as an adjective describing the object under consideration. However, distinctions between sex and gender will be made in the theoretical interpretations or explanations of empirical results.

Political science is replete with studies on racial minority representation in political positions and their effect on their constituents and public policy in general (e.g., Canon, 1999; Fenno 2003; Mansbridge, 2003). It is interesting to note that scholars who set out to study racial differences among political representatives sometimes encounter gender effects. Tate's (2003) research on black congressional representatives reveals that in the 106<sup>th</sup> Congress, a larger proportion of black members were female, .31, versus white members who were female, .11 (40).<sup>54</sup> She suggests that this may result from a different socialization process within the black community that result in black women being more likely than white women to gain positions of

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<sup>54</sup> Tate reports that 12 out of 38 black members were female. The reciprocal therefore is 47 out of 396 white members who are female (<http://womenincongress.house.gov/data/wic-by-congress.html?cong=106>, last referenced July 3, 2008).

local power. Tate speculates that institutional processes also affect gender differently and suggests, for example, that term limits would benefit black women more than white women. She states, “If term limits were imposed on members of Congress, Black women would probably achieve numerical parity with Black men in advance of White women reaching parity with White men” (65).

This is important in understanding the institutional arrangement’s consequence for minority groups and the differential effect of gender in racial communities. Darcy and Hadley (1988) note higher rates of political ambition among black women political aspirants than white. Tate observes success rates finding that, on average, black men and women must run in majority-black districts to be elected. Darcy and Hadley hypothesize higher success rates due to a proliferation of majority-minority districts, but do not control for the systemic effects in their analysis.

Wanting to add theoretical complexity to descriptive representation, Dovi (2002) claims there are types and levels of that concept. Instead of debating its usefulness in terms of absolutes, Dovi advocates construction of a more complex method evaluating and comparing representatives. Just as the form of constituency service is multidimensional, composed of various indices, so she states is the descriptive capability of the representative. Like Dawson (1995), Dovi views the targeted constituency’s connection between representative and constituency as integral and expressive of an emotional attachment that can, at times, transcend the intellectual evaluation of the representative. The connection they are alleged to share on the basis of race, or sex, alone is not enough. While quantifying emotional attachment is understandably difficult, it is nonetheless an important component of the political experience for the representatives and the represented.



Debating the theoretical utility of the concept of descriptive representation alone is important, and much research in political science has focused on finding its substantive impact. These studies have approached this challenge from a number of theoretical and quantitative angles that are now examined in turn.

### ***How different are women from men?***

The very fact that there exists a gender gap in the holding of political office makes it important to know whether there is a difference between women and men's political behavior.<sup>55</sup> Research seems to indicate that, within the population, men and women are distinct in preferences and priority rankings (e.g. Crowder-Meyer, 2007). Before turning to the question of women's difference in political office, the literature examining the gender gap among the public is reviewed. If attitudinal differences exist between men and women, then theoretically they should be replicated within legislative bodies. It is theoretically important to examine the foundation, the public, of women's "difference" in U.S. political institutions for evidence that gender matters. The size and nature of the gap among the public and, if different, among subsets of the public, should by any theory of representative democracy be mirrored by its representatives. A number of studies that scrutinize the differences between men and women, generally in political behavior, have been undertaken that complement studies of elite behavior. Perhaps a comparison of the results of these two research approaches can help in understanding the influence of gender on American politics.

Feminist scholars, encompassing many angles of philosophical approaches to gender differences, have not given a definitive answer to the question of whether or not these differences

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<sup>55</sup> The very fact that such overt attention is continually given to the gender of a politician whenever there is any hint at a political 'first', like Nancy Pelosi's possible advancement in the House, bespeaks to the continuing novelty of women in politics.

are socially constructed or a result of inherent biological differences. “We know feminism is really feminisms,” writes Zalewski (2003, 291). It is as difficult to define feminism as it is to describe gender. Identifying feminist interests is important to understanding how these interests are served by the political system. Equally important is the identification of women’s issues, their social framing, and how they are translated by feminists as well as by political representatives. Political scientists have addressed the question of whether or not men and women are distinct politically. This research can be categorized as focusing on self-interest (arising from differences in economic status) or innate (preferences shaped by “motherly” or otherwise “womanly” characteristics whether socially or biologically defined). Some studies examine the intersection between these two views. By virtue of women’s physical capability to bear children, it is reasonable to assume that a distinct outlook will be professed in this area that could be considered a juxtaposition of the political and the natural cleavages said to exist between men and women.

Directly addressing gender differences in issue preferences, Carroll (1988) casts doubt on the idea that women will be affected by variables, specifically the economy, in the same way as men.<sup>56</sup> She offers an “autonomy explanation” which states that the economy and gender can be interacted as variables in order to explain outcomes, but adds that perception of one’s own status is equally important. Instead of regarding some of the female community’s high degree of support for Reagan as proof of the economic argument, Carroll sees this support as a result of women’s economic independence. That is, the effect of economy as a variable in its interaction with the feelings of self-sufficiency in females. Carroll’s study is more exploratory than it is explanatory because it is a collection of simple cross-tabulations of large aggregates consisting

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<sup>56</sup> She addresses the “economic self-interest” theory that claims that status in the economy explains preferences. The “economic vulnerability” theory adds self-awareness as a necessary condition to explaining differences.

of few control variables (most notably party identification). It would be interesting to further delineate groups by profession, income level, and/or position of authority.

The choices available to women can explain vote choices more than their true preferences, or what is in their best interests. Carroll writes, “In the absence of strong differences between the candidates, the voting choices of politically autonomous women are likely to resemble those of men even though their interests may be quite different” (242). Perhaps her most useful contribution is the implication that economic independence may temper political attitudes. An interesting point of study would be to examine how “economically independent” mothers differ in their attitudes towards family issues from other segments in the population. Just as Keiser et al.’s (2002) study reminds us that bureaucratic structures can influence policy outputs, Carroll’s study reiterates the two-party system’s tendency to moderate candidates and narrow choices. If some women were voting for Reagan despite his dismal record for women’s rights, it may have been because there were no alternative candidates that appealed to women and therefore other considerations became important. It is important to study the attitudes of mothers in the workplace as they may be shaping the political agenda of their communities.

As will be seen in the literature addressing elite behavior, party identification can obscure the relationship between gender and policy preferences if the issue in question is circumscribed more along political ideology than gender. Gilens’ (1988) examines support for Reagan throughout his term to determine if women’s support varied from that of men. By examining issue approval levels, a variable with greater range than simple vote choice, it is easier to dissect differences between men and women. He found that men not only approved of Reagan more, but they did so because of their perceptions on military and social welfare issues. Shapiro and

Mahajan (1986) also look at policy preferences during Reagan's tenure in office, finding that women are more conservative than men when it came to questions dealing with government regulation and support for traditional values. However, they found that women, who supported liberal values in the 1960s, have strengthened their support for these same values. They note that there could be "subcategories" of women that could cause shifts in preferences overall, over time, but do not identify them.<sup>57</sup> While no definitive conclusions can be drawn from Gilens' study, it is clear that identifying levels of feminism among women is important to explaining preferences.

Inglehart and Norris (2000) find women to be more liberal than men and growing more liberal over time. They conducted a time-series analysis of eleven different countries, resembling Carroll's by stressing the attitudinal differences in men and women's economic perceptions. Inglehart and Norris examined survey responses to a question regarding views of the women's movement.<sup>58</sup> However the results offer dubious support at best because other variables, such as age, exert a much stronger impact on ideology than the sex of the respondent. While Gilens' study could be viewed as contextually and temporally restrictive, Inglehart and Norris' appears to be culturally biased. They do not offer an explanation for why West Germany, Italy, Iceland, Britain, Australia, and France were found to have a low gender gap. Operationalization appears to be the key culprit. Abortion, for example, is an issue with distinctly different implications in the various countries surveyed. The measure of labor force simply asks whether or not someone is employed but does not distinguish any subcategory of

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<sup>57</sup> This confusion is best exemplified by the statement, "Women's concerns are a mixture of economic liberalism, government activism, and traditional social conservatism (with some social liberalism as well)" (Shapiro and Mahajan, 1986: 53).

<sup>58</sup> Inglehart and Norris (2000) identify organizations associated with the women's movement and pose the following question on the survey: "I am going to name a number of organizations. For each one, could you tell me how much confidence you have in them: is it a great deal of confidence (4), quite a lot of confidence (3), not very much confidence (2), or none at all (1)?" (461).

women in different countries. This overlooks the vast differences in employment culture that may mask the attitudinal disparity in female workers. Further, measures of support for the women's movement are self-reported scores of confidence in the women's movement. This does not necessarily measure a person's support for feminism, but it may reflect instead that person's views of the progress the women's movement has made. Due to the high number of questionable operationalizations, it is surprising Inglehart and Norris found any substantively significant results at all. What their study suggests, though, is that women's issues are increasingly more likely to be associated with the more liberal side of the political ideology continuum in any country.

Banaszak and Plutzer (1993) also take a cross-national approach to explain support for the women's movement. That is, instead of making support of the women's movement an independent variable, it is measured as a dependent variable. This study, though, would have benefited from the addition of more control variables like occupation type and income level. It is difficult to disentangle the effect of feminist thought and economic well-being in respondents. Again, a lack of specificity in determining the relationship between type of employment and women's corresponding political outlooks thwarts accurate interpretation. Instead, they find that "women with little education are likely to exhibit high levels of feminist support when living in an area where relatively many women enter universities" (153). The potential causes of these findings could be due to the prosperity of the area itself and/or the type of employment these women with "little education" are provided in such an area. Without controlling for economic factors, it is difficult to say that women are exposed to liberal ideas simply by living in the vicinity of universities. Still, this is at least partial evidence suggesting the use of women's

studies programs in an area as a possible predictor of policy demands, a relationship explained more thoroughly in the next chapter.

In a recent study utilizing the American National Election Studies and the National Annenberg Election Surveys, Crowder-Meyer (2007) examines how men and women prioritize issues. She found that women were more likely to support women's rights, government involvement, and health care issues.<sup>59</sup> Issues involving children were least cited by men as important. Her study lends theoretical support to the contention that pregnancy-related issues are more likely to gain support from females versus men in the general public and, hopefully, in elected political officials.

The significance of institutions in structuring choices and outcomes is given little attention despite the work of women's rights scholars that demonstrate the historically biased nature of the U.S. political system that continues to frame issues from a patriarchal viewpoint (e.g., Stetson 2004). Low significance scores might be a reflection of the instrumentation used and the types of questions addressed by the study. From the reviewed literature, it is difficult to ascertain whether or not it is party identification that exerts the dominant effect, rather than gender due to the types of issues that are identified as issue areas where a divergence between men and women should be expected. What these studies do seem to suggest is that work has an impact on attitudes. More women have been entering into the work force and more of these women have been mothers. If motherhood is a physical condition that requires special treatment, then there is a need for accommodating policies. These needs may lead to a growing degree of

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<sup>59</sup> On issues like the Iraq war, Crowder-Meyer found that men and women prioritized similarly. However, that may be simply because of that issue's salience and media exposure. As she points out herself, a time-series analysis would allow for a more accurate depiction of the stability of some issues versus others and the control of temporally important externalities.

feminist orientation in the public. As the incompatibilities between responsibilities in work and parenthood widens, mothers (and fathers) could be becoming politicized.

It seems that group perspective is an easier phenomenon to measure in minority populations than among women. Women consist of many subgroups with differing cultural backgrounds and perspectives. Women representatives are needed, as Mansbridge (1999) argues, for the possibility that women representatives will create an environment for previously neglected, what she calls “uncrystallized,” issues to be discussed. What many of the authors discussed have found is that “feminist” orientation is a predictor of support for women’s issues. This connection has also been established in the literature concerning elite preferences and behavior, discussed next. Properly identifying a “women’s issue” becomes important to analysis as ideology, community needs, media, and party variables, to name a few, might be more significant to explaining attitudes and behavior. Fortunately, scholars have started to control for these other variables and their research will be reviewed.

Uncomfortably lurking in the background is the fear that female representation is unremarkable in terms of support of women’s issues. Regardless of the number of women in City Hall, for example, they will always be a part of a system that is patriarchal and therefore not likely to change the status quo. Reingold (1996), studying the political attitudes of Arizona and California state representatives, finds that female representatives are no different than male representatives in the way they describe their actions in the House. Her survey required representatives to describe their jobs and analyzed how males and females utilize gendered verbiage. Not surprisingly, she found that men and women identify the same legislative strategies for success in the House. Reingold writes, “The evidence presented in this article clearly shows that legislative norms of collegiality have a powerful effect on legislators' attitudes

toward conflict, cooperation and power, and that this effect is equally strong among female and male legislators” (484). As she concedes, the norms and culture of the institution might very well shape the behavior of men and women causing this lack of difference, at least in action. Reingold’s findings are an important precursor towards studying the effects of institutions on behavior.

Evidence of an institutional effect on women’s political behavior may be found in examining how men and women compete for political office. Kahn (1996) studies the election campaign, comparing the communication women candidates wish to present to their future constituencies versus the information actually conveyed by the media. Gubernatorial and U.S. Senate races were studied via content analysis of media coverage, surveys conducted with candidates, and election data. The results are astonishing and support the contention that understanding gender relations is integral to measuring women’s success in attaining political office.<sup>60</sup> What is particularly interesting is that even women who work within the bounds of male-dominated acceptable social behavior are still subject to being stereotyped. Although Kahn finds that women candidates tend to emphasize their “male” qualities and issues and overcompensate for their femininity, for example, by dressing more formally than their male counterparts in campaigns, they nonetheless need to work harder in order to appear aggressive enough for the office.<sup>61</sup> Thus, differences in campaign styles may be necessary to gain entrance to the legislature but, once there, adaptation may lead to similar legislative styles.

Smith and Fox’s study (2001), based on National Election Studies (NES) data from 1988-1992, evaluate citizen preferences for candidates for the U.S. House of Representatives. They do

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<sup>60</sup> In general, Kahn found that the press overstresses female issues and traits, no matter what women candidates do. “Women rely on ‘male’ adjectives over 80 percent of the time in their campaign commercials, while journalists use these terms only 66 percent of the time” (Kahn, 1996: 96).

<sup>61</sup> Kahn unfortunately does not provide a detailed description as to what ‘professional’ attire might consist of.



not address the socio-political process that affects women candidates running in a House election. Once a woman achieves such public visibility the question should be about how she was able to do so and what types of qualities she shares with other men and women who were successful. It is not surprising that Smith and Fox found partisanship to be the most influential predictor of candidate choice for male and female voters. An appreciation for the complexity of gender versus biological sex would aid this study because it would give us insight into how the public votes for candidates and therefore how the public elects candidates. A woman who is perceived as possessing more “male” leadership type qualities might be more favorably received than a woman, or a man, who is perceived as too feminine. Smith and Fox (2001) write that scholars can “shut the door on the claim that women are underrepresented in Congress because of widespread bias against women candidates in the general election” (216). Arguably this is a problematic conclusion to reach because of the implications it has for female leadership. Racism cannot be ruled out by pointing to the presence of black office holders in politics and neither can sexism be ruled out by pointing to the presence of women office holders.

Darcy and Hadley (1988) look at black women who, as feminist scholars point out (e.g., Crenshaw, 1998), must struggle against a white dominated male-institution as well as struggle within the feminist movement itself in order to be recognized as equal participants. Black women are perhaps in the best position to critique institutions and outcomes because they are the most marginalized.<sup>62</sup> Indeed, one must ask if Smith and Fox would have come to the same conclusion if they had included race as a variable. Darcy and Hadley consider the possibility that black women might have an advantage in politics in comparison to black men and even white women. The large number of black women participating in the civil rights movement

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<sup>62</sup> Crenshaw specifically focuses on how the law is framed, through court rulings and actual practice, to favor groups in hierarchical order where white men are at the top in terms of legal favoritism.

created an institutional inertia that made them leaders in the community, thus encouraging their participation in politics. Using the 1984 State Convention Delegate Project as a source for identifying attitudes of the Democratic delegates, Darcy and Hadley draw attention to the need for a more comprehensive examination of how women have adapted the norms of the male-dominated institutions for their own political benefit. Black women were found to express higher rates of political ambition than white women. But critics within the feminist movement would say that such adaptation might not necessarily lead to the most optimal accomplishments for women.

Keiser et al. (2002) take a closer look at structure and representation by examining public schools, agreed upon by many feminist scholars to be a context in which work is women dominated. Their study highlights how bureaucratic structure can constrain the making of otherwise women-friendly policy. The bureaucratic structure of the schools was judged by levels of stratification and hierarchy. Stratification is measured by the ratio of female to male administrators whereas hierarchy is measured by the ratio of female to male teachers. They conclude that having more female administrators with a weaker hierarchical system of control is beneficial for students, specifically measured in terms of math scores. While establishing support for the importance of institutions and providing an intriguing measurement method, this study suffers from a lack of quantitative rigor. The math scores of boys are never compared to those of girls, meaning that boys are considered to be affected by variables the same as are girls. Moreover, no convincing control included that would suggest that math scores are related to anything but the school itself or its resources. Still, Keiser et al. call attention to the tendency of political scientists to ignore the gender/sex distinction when proceeding from the results of their measurement to their conclusions. Their work is a useful reminder that gender, like

representation, is multifaceted in that it affects institutions and institutional participants differentially.

The most promising work on descriptive representation of women and its impact is arguably found in the literature that studies attitudes in different issue areas. Tremblay and Pelletier (2000) find that the feminist orientation of women legislators is key to predicting attitudes towards policy issues. In a 1997 mail survey from Canada's five most influential political parties, they found that feminism could predict attitudes better than gender or party. Like the U.S., Tremblay (2007) points out that Canadian political scientists are concerned with substantive representation arising out of descriptive representation. Expressing a desire not to shut the door on descriptive representation, Tremblay and Pelletier state, "More women in power are needed to meet the needs for symbolism, justice, political equality, and legitimization of the political system, but more Feminists are also needed—women and men—so that the needs, demands, and interests of women find expression and satisfaction within the political arena" (398).

Thomas (1994) points out that women representatives' perception of the legislative process is not surprising, given their paucity in representation, and that the concentration should be on other aspects of their legislative activity when assessing their impact on government. She not only examined issue priorities, finding a difference between men and women, but also committee assignments in which females were more drawn to health and welfare committees than, for example, business committees (66). Moreover, she addresses attitudes towards the constituency, finding that women were more likely to feel representative of women than were men (68). In short, at least for women legislators in the 1970s and 1980s, significant attitudinal differences are found. While Thomas finds that party is less significant than gender in terms of

self-identified ideology in her 1988 survey, it is unclear from her findings whether this difference applies to specific issue areas. Her analyses of attitudinal and behavioral differences are compelling in the distinction they show between men and women, but party is not controlled for. Nevertheless, Thomas's statistically significant findings that women legislators prioritize children's issues are buttressed by the demonstrated dedication in this area that was consistent by all measures of legislative activity used.

In a survey of U.S. state legislative members, Poggione (2004) finds that party identification alters the relationship between gender and attitudes. Republican women are especially differentiable from Republican men. Overall, she finds that women have more liberal policy views than men. This finding may be due to an operationalization of "liberalism" that includes a host of variables that could be considered strictly women's issues, especially since she constricts her analysis to so-called welfare issues.<sup>63</sup> Interestingly then, Poggione finds evidence of women's difference because she is, arguably, studying women's issues. To conclude that women are more liberal than men, however, is probably inaccurate.

Griffin, Newman, and Wolbrecht (2008) are interested in studying the substantive effect of women's representation by examining roll-call votes. Quite literally, they examine how adequately women constituents are represented by including them in analyses. This quite effectively eliminates the need for identifying a women's issue by examining women's preferences en masse. Like in Poggione's study, party appears to play a role where Republican women in particular seem to be represented better by Republican women than by Republican

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<sup>63</sup> She lists the following as "liberal issues": Oppose eliminating government funded welfare, Oppose family caps, Oppose time limits, Oppose work requirements for able-bodied recipients, Allow individual development accounts (IDA) for recipients, Provide relocation expenses for working recipients, Provide child care services for at-risk children, Provide increased public transportation for working recipients, Provide increased job training for recipients, Match recipients' deposits to IDAs, Support child care for working recipients, Provide GED and job counseling for teen parents, Support shelters for at-risk/homeless families, Support state earned income tax credit Provide tuition vouchers for recipients, Reward recipients for academic or job related successes, Support teenage pregnancy prevention programs (308).

men. However, the same cannot be said for Democrats. Through analysis of the National Annenberg Election Survey, Griffin et al. find that women may be more liberal in ideology, especially in the areas of environmental protection, social welfare, defense spending, and school vouchers. However, they caution that temporal factors may be at work, stating that, “We suspect that Democrats are not inherently better equipped to represent women than are Republicans, but are rather the more liberal party at a time when women are, on average, more liberal than men” (22).

Also careful to include the affected female population, Dolan (2006) examines NES data for U.S. House and Senate elections from 1990 to 2004, and tests the effect of women’s descriptive representation on women constituents’ feelings of political efficacy. In Senate elections, Dolan found that the presence of women representatives decreased efficacy in women. Interestingly, Republican women representatives in the House seemed to increase efficacy in women while decreasing efficacy in men. Overall, however, Dolan concludes that the presence of women representatives did not impact the political efficacy, interest, voter turnout rate, or other political activity of women constituents.

Campbell and Wolbrecht (2006) are also interested in the effect of descriptive representation on women but target a nonvoting group, teenagers, for their study. Campbell and Wolbrecht do not find that sheer numbers of male and female representatives have an impact on self-reported political participation of the teenagers in their study. However, they do find that once media coverage is entered in as an intervening variable, gender distinctions do emerge.<sup>64</sup> This suggests an intermediary link between pure descriptive representation (i.e. the sex dichotomy) and the effect on the constituency. If the media can shape the relationship between

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<sup>64</sup> As Kahn’s study demonstrated, the media can exert an enormous influence on electoral prospects for female candidates. Campbell and Wolbrecht’s study offers corroborating evidence to Kahn’s by illustrating the dampening effect of media non-coverage can have on female candidates.

constituent and representative, it follows that this is a relationship amendable to being altered. Follow up studies should consider utilizing more effective controls for the political knowledge and sophistication of the respondent because it may be that, for reasons of incumbency or uneven media coverage, the male or female candidate receives more or less coverage. However, a study like Campbell and Wolbrecht's that utilizes teenagers arguably best approaches an experimental design in which teenagers are expected to know little except for the identifiable sex of the politician.

Political science research has not solely focused on the influence of women's representation in the executive and legislative branch; the judicial branch has also been studied. Turner and Breslin (2002), analyzing mentions of issues in statements given by chief judges of the highest state courts in their annual State of the Judiciary Address, rely on an overly broad operational index of "women's issues" when studying the effect of gender on administrative priorities.<sup>65</sup> Moreover, they do not control for the ideological disposition of these judges, thus further obfuscating the distinction between liberal and women's issues. Overlooking the possible externalities influencing the court, Turner and Breslin do not control for the ideological disposition of the community nor the demands placed on the court system.

All of the above studies share a common set of independent variables, ideology and/or party affiliation, which exert an influence more powerful than sex in predicting political attitudes.<sup>66</sup> Moreover, when an effect is actually found to emanate from the sex of a representative, it is difficult to argue that it is not because of more powerful interaction with

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<sup>65</sup> Turner and Breslin include the following under the rubric of women's issues: children's issues, family courts, domestic violence, therapeutic courts, juvenile justice, alternative dispute resolution, community courts, racial, ethnic, and gender diversity.

<sup>66</sup> And in the case of Keiser et al.'s study, race and socioeconomic status act as better predictors of math achievement than the sex of the student.

another variable. Because many of these studies did not address some of the more fundamental problems women face in gaining equality, like overcoming institutional barriers or the gendered nature of these institutions to begin with, the statistical results are not spectacular. If the institutions remain more or less the same in that males have an advantage within them, one must question how effectively a female can deviate from the male norm once in those institutions, and exert a strong enough effect to stand out significantly by virtue of her gender. Moreover, future research should be more meticulous in recording the characteristics of females that are drawn to politics and what personality and attitudinal qualities result in the most success. Scholars of minority politics have addressed these same types of questions, asking whether or not a representative of the black community, for example, effectively represents his or her constituents within a system that is constructed to benefit the white majority constituency.<sup>67</sup> Feminists themselves have been divided over the degree to which the political system should be utilized as a tool for change, viewing it as a reflection of a patriarchal system, not necessarily an effective tool for change.

While the studies above have examined how women in the electorate, and women in elected positions of power, may be different than men, they have not measured their direct effect on policies that will benefit women. The subsequent section reviews the literature on this link between descriptive and substantive representation, paying particular attention to how women's issues and policies are identified.

### ***Translating descriptive into substantive representation***

Much of the confusion surrounding the impact of women's representation may be due to the fact that what constitutes "women's issues" is itself rather murky and undefined. In short, the

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<sup>67</sup> Frymer (1999) argues that a two-party system is damaging to blacks because of their minority status in an overwhelmingly majoritarian system.

evidence is bleak for those who had hoped that more women in political power would produce a more feminine politics or change in gendered attitudes. Certainly, researchers who continue to confuse gender with sex will continue to produce statistically insignificant results that dispute the arguments for descriptive representation. Concurrently researchers who underestimate a legislative body's institutional pressures on women may overlook the changes they have been able to create. So far it should be apparent that the effects that women representatives have on policy needs to be studied in the context that they are working in, including the constituents they are presumed to serve. To say that women represent women is more often than not an overly simplistic statement and, more likely, a falsity. An undeniably "women's issue", however, like family leave, provides a more accurate measure of substantive representation.

In a study of senatorial position taking on defense policy, Swers (2007) finds that women may compensate for the stereotypical view of their gender as soft on military issues by sponsoring more defense bills. This is particularly salient for female Democrats. Her study underscores a number of important points, among them the significance of social and institutional pressures on women's legislative behavior and the change in behavior expected when examining different policy areas.

In a comparative cross-national study of cities, Hainard and Verschuur (2001) find that cities tend to be run and managed by men but there are issues on which women tend to take the lead. Women's influence has exerted itself most clearly and consistently in the field of education.<sup>68</sup> Not surprisingly, they find that women in positions of power result in more women-friendly policies. In all probability, women representatives are viewed as possessing expertise in this field. But the details of the relationships between actors and groups, competing interests,

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<sup>68</sup> Hainard and Verschuur define empowerment as, "a process of developing negotiating skills from the bottom up (at family and collective levels) with a view to ultimately bringing about a fairer distribution of power" (2001: 46).



and the social context are left unexplored. The question of what happens to women's empowerment when a women's issue becomes politically contentious is not addressed. Moreover, the possibility that there are varying levels of gendered contexts in different bureaucratic organizations was not explored in their study.

The subsequent section examines the literature that posits a relationship between the proportion of women in government and women friendly policies. Perhaps as women populate legislatures, a group perspective is developed as gender commonalities surface. More women are entering the labor force as mothers. This is also the case with women entering politics.<sup>69</sup> Naturally, the potential for motherhood is defining physical, and often emotional, characteristic of women that exists regardless. It is therefore surprising that an analysis of women's representation and policy outcomes directly addressing maternity issues has not been, to my knowledge, conducted as of yet. As the above discussion has demonstrated, the link between descriptive and substantive representation may be real but obscured by institutional and otherwise salient variables like party identification and ideology making the identification of a women's issue integral in that some of these externalities may be muffled.

### ***A critical mass***

Wanting to identify where there is a threshold, or thresholds, by which minority representation on a legislative body influences policy for minority groups, political scientists have applied critical mass theory to analyses of descriptive and substantive representation, focusing on the gender composition of a legislative body, typically at the state or federal level (Lovenduski and Norris 2003; Studlar and McAllister 2002). As typically used, the theory

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<sup>69</sup> Tate's (2003) analysis of women congressional representatives found that single motherhood was more prevalent among black women than white women in Congress (47). It may be that race and motherhood interact in such a way that the desire for political office is magnified. Perhaps it is their social position that motivates black mothers' interest in promoting political change.

(sometimes referred to as the threshold model) essentially states that a certain percentage of women in a legislature, constituting the descriptive part of representation, will bring about legislative responsiveness to women's policy preferences. Exciting new research has been conducted on both family leave and on critical mass theory. Kittilson (2008), in a comparative analysis of nineteen countries' family leave policies, bridges the descriptive/substantive divide by choosing to test a policy that lends support to the contention that higher proportions of women will result in policy changes. Due to the salience of Kittilson's research to this study, it will be examined in detail following a brief discussion of the use of critical mass theory in the women's representation literature.

Raaum (2005), who writes that the critical mass is conventionally set at 25 percent, claims that the current understanding of critical mass theory is overly simplistic. In her study of Nordic women volunteer groups, she finds that these groups were politically influential before women gained any sort of office, discounting the theory's assumption that descriptive representation of a certain percentage in government will lead to substantive representation.

Critical mass theory can be a powerful theory in that it combines the philosophical arguments for descriptive representation with the empiricism of studies measuring the impact of women representatives. As Thomas (1994) states,

Whether the critical point for making a priority of legislation to help women is indeed about 25% or whether that percentage varies over time and location, the concept that great percentages of women legislators will lead to a diffusion of their perspectives throughout the governing bodies is sound (154).

Critical mass theory is not "numbers based," but rather a theory in which numbers of women representatives are used as an indicator of socio-political change.

The inclusion of an engaged and politically active public is also vital in explaining the behavior of women in political positions, a topic that is explored in Chapter 3. Perhaps once

representation was achieved in these Nordic countries, the demand for substantive policy decreased because of their possible regime legitimizing impact. Likewise, it may be that their presence positively affected non-political groups and women leaders then stimulated positive social changes. It must be noted that the self-proclaimed originators of the theory, Oliver and Marwell (2001), claim that their originally conceived theory in 1983, published in 1993, is often misinterpreted. Indeed, their theory has much more to do with social movements than minority representation per se. Due to a culmination of various interpretations in and outside of social science, the theory is arguably treated as an elaboration of descriptive representation at best.<sup>70</sup>

Beckwith (2007) describes studies based on critical mass theory as “numbers based,” pointing out that they typically use three independent variables, the percentage of seats held by women in a legislature, the number of national or state women legislators, and a mystical threshold percentage that is typically between 15-30, to predict the influence of women's representation within legislative bodies, measured by some type of success, whether it be policy outcomes or legislative votes. Due to this numerical fixation, Beckwith states that critical mass theory is then reduced to a dichotomous variable that the identified critical mass is either present or not. Partisanship, for example, has often been left out as a possible influence on policy outcomes. Thresholds vary by study because, as Beckwith points out, there are a number of contextual and institutional features that affect the type of representation women will be able to offer. City councils, for instance, will be viewed as institutions where the proportion of members who are women will positively affect policy but the extent to which they do will depend upon the social variables of that city. The “critical mass,” if there is one, may therefore differ in different

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<sup>70</sup> Schelling (1972), for instance, first wrote about critical mass as related to the racial composition of neighborhoods where a certain proportion of minority residence will lead to the eventual downfall of the entire neighborhood. No doubt Schelling's study, and ones that followed, have influenced the theory's application in political science studies.

institutional settings. Beckwith develops several hypotheses based on Kanter's (1977) theory of female and male behavior in corporations.<sup>71</sup> Kanter studies Fortune 500 firms, largely male in composition, and finds that women were often scrutinized more harshly by their colleagues because of their gender. In support of the inherent male bias that emanates from a dominantly male institution, Kanter describes how females are either encouraged to believe that they are somehow different than other females ("one of the guys") or are stereotyped into more socially familiar roles. While her study focuses on interpersonal interactions and this study is more macro-level in approach, the central assumptions of Kanter's work are applicable to political institutions and testable.

Beginning with the assumption that overtly male institutions depress female activity, Beckwith predicts that in cases where women are severely underrepresented, defined specifically as less than 15 percent of the legislative body, their views will tend to lean more to the conservative side. In terms of "newness," Beckwith hypothesizes that the newly elected, when they constitute a minority, will also be less likely to support radically different platforms than older, more established representatives. In both situations, females may purposefully downplay their gender in order to gain acceptance. Of course, this does not take the political mandate of the newly elected into consideration, a factor of social movements and a topic of discussion for Chapter 3.

Critical mass theory is a useful framework for studies of gendered institutions, but is rarely studied this way. Childs and Krook (2006) summarize the literature on women political representatives as belonging in either the critical mass camp or the "gendered institutions" camp, which views the theory as too simplistic. The gendered institutions view builds on Kanter's

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<sup>71</sup> Since Kanter's research dealt specifically with nonpolitical bodies, her observational model can be applied to studies of schools and police departments, also arguably nonpolitical in purpose. Kanter acknowledges that her research is also relevant to organizations that are also predominantly female, citing nursing as one such profession.

theory by including newness and political party, recognizing these as important variables in studying legislative bodies. They point out that the process of substantive representation needs to be identified, and they see less utility in studies based on quantitative methods that rely on simple head counts.

Childs (2004) explored critical mass theory through interviews with 23 members of the British parliament in 1997. She found, similar to political scientists studying women representatives in the U.S., that party exerts a strong impact on legislative voting. Indeed, the Conservative Party was seen, by nonmembers of the party, as sexist and the women within it perceived as trapped. Moreover, the women interviewed believed that their gendered style of politicking was frowned upon and refused to submit to more traditional ways of politicking. Childs states that these women reported working “behind the scenes,” but dismissed this finding as non-evidentiary of a woman’s influence. Her analysis did not take a specific women’s issue into account that may have provided more convincing evidence for the theory. The refusal of women members of parliament to conform and the insistence of their “difference” from men suggests that numerical improvements may translate into actual, substantive improvements. While a few women acting differently as legislators might go unnoticed, more women acting differently would surely make a difference and perhaps become institutionalized over time.

In no way is a defense of the “numbers based” critical mass theory undertaken in this analysis. A number of factors contribute to the shaping of policy and the mere presence of an affected member of that constituency will not suffice. However, the presence of an *interested* consistency might. As Raaum (2005) writes, “the threshold model has serious shortcomings where the study of women’s political impact outside of the parliamentary system is concerned, and highlights the fact that critical acts are as important as critical mass” (893). Moreover, the

institutional arrangement, discussed last in this chapter, may further play a role in affecting the descriptive representation on legislative bodies. In an institution that is largely male, a critical mass of women members that moves preferences towards the female side on the gender continuum may exist. An analysis that includes the affected population and indicators of involvement will be more comprehensive than one that merely counts agency heads and elected officials. Moreover, an analysis that also examines a true “women’s issue” will also be a more appropriate test of the theory.

Kittilson (2008) finds evidence that women’s political representation, separate from social movement, party, and structural characteristics, is influential in predicting the family leave policies of eighteen different countries. She writes, “Across a variety of specifications, the proportion of women in parliament is statistically significant, and it is the only consistent predictor of the scope of leave policies identified in the models” (331). Although Kittilson’s research compares vastly different political systems, she finds that party and ideology bear little impact on a country’s family leave policy. Interestingly, Kittilson finds some corroboration for the masculine nature of unions, finding that unions might actually depress the comprehensiveness of family leave policy (332). While Kittilson controls for the leftist orientation of governments, finding no significant impact on leave policy, she does not include social movement demands, a subject undertaken in the next chapter. Certainly, the value of identifying an issue of undeniable import to women is exemplified in her study. As Kittilson states, “For family leave policies, descriptive representation yields substantive outcomes” (2008, 333). The same is expected to be found in this analysis.

***Theoretical expectations for female representation on local legislative bodies***

The preceding discussion of descriptive representation suggests that it is a variable of theoretical importance to substantive outcomes, but that it is also limited in its breadth of effect. In other words, when descriptive representation is used in any model predicting public policy, it should be accompanied by other variables. The model specified below is applicable to local school boards and city councils. Therefore, the theoretical components will be discussed as relevant to local legislative bodies.

The first model combines measures of descriptive and substantive representation with critical mass theory. The proportion of seats held by women on legislative bodies is hypothesized to affect the comprehensiveness of family leave policy. This will be assessed by modeling a linear relationship between the variables. It is possible, however, that a curvilinear relationship exists in which, after a point, any additional proportion of women legislators has little effect on the policy. This would indicate a threshold effect. That is, as the proportion of women in legislative bodies increases so too do the benefits offered by a family leave policy but, at some point, any further increase may not have a bearing, or is, at the very least, overshadowed by external variables that gain more importance as women's representation increases. An alternative hypothesis ( $H_{1b}$ ) therefore is constructed that specifies that the relationship between female representation on legislative bodies and comprehensive family leave policy is nonlinear.

Chapter 6 will elaborate on the statistical function that will model this relationship.

$H_{1a}$ : As the proportion of women's representation on legislative bodies increases, family leave policy becomes more comprehensive.

$H_{1b}$ : There is a nonlinear relationship between the proportion of seats held by women on legislative bodies and family leave policy.

If evidence of a critical mass exists, Hypothesis 1b should yield a statistically significant relationship. In this context, other variables, like the political context, may become more salient,

especially on city councils. This model of critical mass does not summarily dismiss the effect of women in legislative bodies before a threshold is reached. Moreover, the model does *not* assume that once the threshold is reached, the substantive benefits to be gained by women are at their maximum levels. The model is based, instead, on the assumption that in a legislative body of small size, such as most city councils and school boards, the presence of even one or a few women constitutes a critical threshold, with a further increase in the number of women resulting in diminishing returns. While this understanding of critical mass theory differs from much of the current scholarship, it acknowledges the explanatory value in explaining why women's representation in government must have a coalitional, and substantive, quality in order to be successful.

The influence of party and political experience can be used as partial measures of political context. Women who identify themselves with the Republican Party and/or are new to the office may prioritize women's issues differently than those who are Democrats and/or have been representatives longer. Women may be disproportionately affected by their political inexperience. Conversely, it may be that Republican women are as likely as Republican men to support less comprehensive leave policies. Republicanism is typically linked with social conservatism, but as Dolan et al. (2007) point out, many Republican women are self-identified feminists when it comes to women's rights and protecting the family. Still, Dolan et al. (2007) write,

Moderate Republican women who support feminist or liberal causes such as reproductive rights, expanded child care funding, or increased spending on social welfare programs must choose their battles carefully to avoid being tagged as carriers for Democratic groups (257).

These two variables may demonstrate some empirical relevance after a critical mass has been reached rather than before, when any additional increase in representation is presumably



most important. After a certain point in descriptive representation is reached, party and newness variables may intensify in strength exerted on the dependent variable, family leave policy. If Hypothesis H<sub>1b</sub> is supported, city councils that are outliers will be assessed individually, taking party identification and newness into account. Kittilson (2008) did not find a significant relationship between party and ideology in other countries' leave policies and argues that such an issue transcends traditional political demarcations. In other words, independent of women's party or ideological affiliations, women's presence in national legislative bodies influenced policy.

Admittedly the relationship between female membership on a legislative body and family leave policy is affected by other variables. Family leave probably affects male city employees and presumably male council members will have a vested interest in pursuing such policy. In addition to the importance of citizen and city relations, the reputation of the city as a whole can be significantly impacted by family leave policy. It is important to consider how the political milieu in terms of female representation affects such tangible outcomes for employees of the city. The model below portrays the hypotheses explored in this chapter that will be tested later through statistical analysis. Subsequent models and hypotheses will build upon that below in order to create a final model that is more inclusive of the various social and political forces at work in a city's policy making process. The claim that the proportion of females on legislative bodies has an impact on policy was inconclusive (Manning, 1988), as scholars like Kittilson have begun to demonstrate. The model below tests this idea through use of a policy that is likely to be of interest to most women.

**Figure 2.1: Descriptive Representation and policy outcome**



Note: The legislative bodies examined in this study are local school boards and city councils.

### ***Conclusion***

The feminist orientation of female representatives is substantive in so far as the policies they support will be affected by their ideological disposition. Yet, feminist orientation is often viewed as descriptive because it can be an observable trait of the representatives, not necessarily always measured by voting records or policy outcomes. Finally, while it is noteworthy that men can be feminist in orientation as well, the importance of descriptive representation is based upon the idea that women will be more sympathetic to pregnancy-related issues than men because of their biological capability to become pregnant. As Thomas (1994) writes, “the issues of special concern to female representatives, those dealing with women, and children and families, will permeate legislative bodies as women’s representation is closer to parity [with that for men]” (154). When women increase their numbers in political office, political empowerment should result in which they begin to feel more comfortable pursuing issues more important to them and their constituencies.

Measures that account for biological sex *and* feminist demands should be included in the analysis. For that, the analysis will have to be expanded to account for factors that will influence political representatives in this manner. In the next theoretical chapter, Chapter 3, the social movement literature is used as support to broaden the socio-political milieu examined,

simultaneously refocusing attention back to the role of the feminist orientation of the community in bringing about meaningful policy change. The concept of social group representation will be introduced as an important determinant of policy change and of representation on local legislative bodies.<sup>72</sup> Chapters 4 and 5 will apply the concept of gender to institutions and institutional processes thus providing an additional contextual influence on policy outcomes.

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<sup>72</sup> The term “social group” is utilized in lieu of simply labeling this type of representation as “group representation” because it emphasizes the socially constructed nature of any minority faction in a society.

## **CHAPTER 3**

### **Social group representation and policy demands**

Studying the women's movement as an independent factor in influencing social policy is theoretically justifiable. The women's movement impacts all levels of political life from the people who vote women into office, to the women that gain political office, and to the political agenda that is pursued. As should become apparent in the preceding discussion, there is considerable overlap between women's representation and women's movement in that women's accomplishments in gaining office is largely owed to the movement's success. A feminist presence in the community may help explain the type of representation that women offer and the subsequent policies that follow. When it comes to family leave policy, it remains to be seen if more can be offered by way of explanation if both descriptive representation and social movement demands are included in analysis.

The socio-political environment affecting women's rights in any given community is complex and has been typically studied in a rather piecemeal fashion. Knowing the biological sex of political representatives is as insufficient as focusing only on the individual activists that lobby for women's rights. The communities, as proliferators for feminist ideas, need to be studied and the literature on social movements provides much insight into how this can be accomplished. As Meyer and Whittier (1994) state, "social movements are not self-contained and narrowly focused unitary actors, but rather are a collection of formal organizations, informal networks, and unaffiliated individuals engaged in a more or less coherent struggle for change" (277). They further point out that social movements do not simply affect the policy itself, they can also influence the domain within which policymakers and the public participate. For a movement to be truly successful, it must influence the community's value system, not just the

skeletal infrastructure in the form of laws and organization. As Hainard and Vershuur (2001) point out, government is also a process, not just an institutional structure (50).

This chapter will first examine social movements in a broader context, assessing how research in political science has addressed their presence. After providing a review of the social movement literature in political science, and a provisional conceptual understanding of what it encompasses, it should be evident that the women's movement presents a special challenge for researchers that can be useful to studies of social movements in general. Having presented a case for the significance of social movements in political science, a brief historical review of the women's movement in the United States is given in order to identify its most salient characteristics. Only through historical and qualitative examination of a social movement can the proper quantitative independent variables be isolated.

A look at how the women's movement has been measured will be examined along with an explanation of why it is expected to make an impact on policy. The methodology proposed will take into account the unique character of the women's movement in local communities, recognizing the inherent difficulty in measuring a phenomenon that is largely psycho-sociological in expression. "Social group representation" will be introduced as a useful concept for empirical analysis, as it is designed to measure the organizational and the socio-psychological aspects of the women's movement. Lastly, hypotheses expressing the expected impact of social group representation on the dependent variable, family leave policy, are also identified.

### ***Political science and social movements***

Explaining the development of women's rights entails an understanding of social movements. Social movements provide vital information about the polity, the interests represented and subverted, and the possible system transformations that could result thereof.

Social movements reveal what citizens want from government, whether it be simple recognition or radical revision of existing institutions. Approaching the study of politics from the vantage point of social movements could alter the theoretical lens through which we evaluate government practice and policies. By not allowing the status quo to serve as a baseline for comparison, the spectrum of social movements presents a more diverse set of existing and potential political and social realities that serve to function as competing realities, not marginal developments but rather possibilities for future changes in the governing apparatus.

Social movements, as typically discussed in political science, tend to be scrutinized for their tangible outputs. They are recognized as independently important phenomena, separate from political instruments of change, such as interest groups and third parties, but their expected effects have been measured similarly. The importance of constructivist and, intimately related, feminist approaches to social movement research will be made clearer. In particular, it is important to recognize that social movements differ vastly in ideology, scope, and political purpose. Therefore, the subsequent section will develop a more detailed account of the women's movement in the United States. First, a tentative definition of social movements is advanced below.

Staggenborg (1998) writes that social movements are communities that:

Encompass all actors who share and advance the goals of a social movement: movement organizations; individual movement adherents who do not necessarily belong to SMO's (social movement organizations); institutionalized movement supporters; alternative institutions; and cultural groups (182).

The definition above illustrates that social movements are not just defined by the organizations that represent them. However, these organizations are crucial to the maintenance of the movement. Staggenborg views social movements as cyclical, emphasizing the importance of examining stages of movements. At times of protest, the movement is strong and encompasses

a wide range of actors. The movement shrinks in times of social tranquility. Social movement organizations, while not a necessary component of the social movement itself, are integral to continuing a movement's momentum through such times.

Insinuated in Staggenborg's definition, the goals of a social movement are important to understanding the types of groups and organizations that evolve. When defining the women's movement, and consequently discussing its effects on the socio-political system, the psychological reorientation it has stimulated among countless numbers of women and men should be given considerable attention. Arguably all social movements invoke social or political defiance in their participants, which are both a cause of a social movement and an effect. This status-quo defiance is naturally problematic for measurement, but is arguably important for it constitutes part of what social movements *do* and consequently *how* they influence political change. McDonald (2004), for example, writes that social movements are defined by their "shared identity," but how this collective empathy produces political change is unclear. McDonald's work is crucial because it stresses the constructivist underpinnings of social movements, discussed in more detail towards the end of this section. Much political science research has approached the study of social movements using traditional indices of political change. This is of course useful, but incomplete.

The purpose of social movements, according to Melucci and Avritzer (2000), is to provide representation for the unrepresented, but not within the existing political system. In a sense, social movements fulfill the "we-ness" void left by political structures that do not accommodate all segments of the populace equally. To these authors, social movements must have solidarity as a purpose, publicity of identity, and must defy the limits of socio-politically acceptable behavior. That is, McDonald's "shared identity" is not enough to constitute a social

movement. It is the outward manifestation of an individual's frustration, consequently leading to organized activity with other likeminded individuals, that best describes a social movement.

Melucci and Avritzer point out that social movements often manifest themselves through organized, and therefore measurable, collectivities, but also acknowledge that the "we-ness" void is paramount to explaining what a social movement entails.

An understanding of social movements can benefit more "traditional" political science endeavors, like ones that quantify the official communications and actions of elected officeholders, to explain political change. Arguments by scholars [e.g. Zaller (1992) and Lau and Redlawsk (1997)] that political information transmission is largely a top-down process,<sup>73</sup> and much contested evidence provided in support thereof, resulted in discussions of elite manipulation and citizen acquiescence in political. On the other side, scholars like MacKuen, Erikson, and Stimson (1992) argue that citizens respond to economic conditions and voice their level of contentment through voting, thus are exhibiting a form of political machismo. In the aforementioned studies, however, the type of discourse occurring amongst the public is left out in favor of a focus on elite message transmission and environmental indices and how these affect political changes. In essence, the group decision-making processes are excluded from these analyses; important omissions when studies concern the ability of the public to collect and properly translate information.

Studies of interest groups would appear well-suited to speak of social movement issues because they are arguably products of social movements. Lowery and Gray (1995) seek to explain the origin of interest groups by accounting for environmental resources, such as the size of government bureaucracy and the percentage of likeminded constituents. They unfortunately

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<sup>73</sup> Lau and Redlawsk might be said to take a more optimistic view of the voter, agreeing with Zaller that, while voters tend to be manipulated easily, they are capable of selecting need-specific candidates.



omit identification of ideas that promulgated the interest group in question, and do not consider the development of the ideas within the fractions of the populace that formed the group. Sole focus on the maintenance aspect of interest groups may result in a failure to recognize the type of representation that is taking place. While it is interesting to see what types of groups are able to influence government, it would be helpful to examine why those groups evolved, and the ways that they did, versus the universe of alternatives.<sup>74</sup> Interest groups, while exhibiting a wide range of political and social inclusiveness, have developed to the point of conventional participation, whereas social movements are not seen as integrally related to the broader governmental system.

The National Organization for Women (NOW) is an interesting case of an interest group moving in and out of the larger political sphere. This has brought some criticism of its loyalty to, and representativeness of, the movement. In contrast to women's movements elsewhere in the world, the activities of NOW seem more gradualist than revolutionary (Banaszak, 2008). NOW's history of encouraging the proliferation of local grassroots offices that often diverge in purpose and in tactic from their national affiliation is undeniable, however (Barakso, 2004; Costain 1992; Dolan, Deckman, Swers 2007). While NOW can be studied in terms of interest group lobbying, the organization can also be viewed as the partial embodiment of the women's movement because of its ideological impact on American society (e.g., Freeman, 1989). In a sense, NOW's more radical activities and rhetoric have "normalized" many women's issues hitherto ignored by placing them squarely in the governmental policy arena.

Scholars have identified third parties as a possible conduit of political discontent, but if the modus of political change is winning seats in government, these parties have been largely

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<sup>74</sup> Growing documentation of the influence of money supports the contention that interest groups are legitimate actors in the governing coalition. Hall and Wayman (1990) attest to this type of political incorporation stating that "interest group resources are intended to accomplish something different from, and more than, influencing elections or buying votes" (800). Interest groups do not just learn the rhetoric of the political elites, they contribute to it.

unsuccessful. Rosenstone, Behr, Lazarus (1996) conclude that the effects of third parties are largely felt through their indirect impact on the two major parties because they are unable to garner the resources necessary to alter the system enough to be major contenders. Ideological change to the major parties might occur precisely because of the existence of minor parties, evidence that the major parties have not addressed issues important to significant portions of the populace. Quantifying the political discourse of party platforms, political elite speeches, media messages, and public opinion can provide evidence of ideological change. Theoretically, these methods should be transferable to the study of social movements.

Political scientists have largely focused on the resource aspect of social movements whereas sociologists have studied less tangible characteristics. Fording (1979) finds that it is a state's liberalism that appears to be most important in predicting political elite reactions to social movements, more so than resources alone. Snow et al. (1986) specify the types of framing that can occur in social movement mobilization, finding that often they usurp resources and structural considerations. A social movement that is ideologically strong, framing its message on moralistic grounds, does not necessarily need resources to invigorate public participation. That ephemeral source of insurgency, the basis for social life in America that from time to time erupts in regime-altering behavior, represents a relatively unexplored phenomenon in social science research.

McAdam and Su (2002) draw attention to the difference between sociologists and political scientists in the core assumptions they make, claiming that political scientists are generally cynical of social movements as having any sort of independent influence of their own. Sociologists, on the other hand, seem to view social movements as the baseline for all social change, thus dismissing changes that occur systematically from within governing and other

institutionalized entities. McAdam and Su (2002) write, “If sociologists assume the impact of movements without testing for effects, political scientists, with few exceptions, continue to make the opposite error: assuming the ineffectuality of movements” (697). This might be attributed to the fact that many political scientists have used conventional tools of political science for evaluation.

Many scholars have studied social movement success, measured as the number of favorable votes in Congress (Goldfield, 1989) or the content of legislation itself (Mars, 1969). Goldfield (1986) operationalizes success as the number of pro-union stances employers take in National Labor Relations Board union certification elections. The legal and extralegal tactics taken by employers in attempts to stymie these certification elections, such as delays in bureaucratic procedure, were found to be of import. Goldfield illustrates the role of institutional control in preventing what he calls a “mass-based working-class party.” Taking issue with cynicism of a social movement’s impact on policy outcomes (e.g. Skocpol, Finegold, Goldfield, 1990), he draws distinctions between the types of influence social movements might have. He argues that by examining floor debate and legislation in Congress, we see at least a symbolic reaction to the number of protests in a given period.<sup>75</sup>

Mars (1969) attempts to demonstrate that the Civil Rights Act, because of the antiriot provisions implemented in conjunction with protests, was a congressional response to the social movement. No other variables affecting Congress are mentioned and nothing in the way of substantive impact of the protests is acknowledged. Despite his choice of a highly liberal temporal context, Mars was unable to show that the civil rights movement made an impact on policy. He operationalized the movement by the incident of protests and his dependent variable,

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<sup>75</sup> Skocpol, Finegold, and Goldfield critique Goldfield’s interpretation of the Wagner Act, pointing out that no comparison to other congressional reactions is made, suggesting that the causal mechanism between social movement and social movement success is not identified.

social movement success in the form of Civil Rights legislation. Measuring legislative behavior can be indicative of the level of institutional response given to certain types of movement demands, but to conceive of social movements in terms of protests is misleading and overly simplistic. A social movement is outside the realm of the political norm, and sometimes is a reaction to it, so the finding that legislation does not immediately reflect its demands should not be astonishing.<sup>76</sup>

Misra (1998) points out that policies may sometimes reinforce gender stereotypes. Even policies that aim to create equality, such as those of Sweden, can have this effect if inherent biases, i.e. the patriarchal values of a culture, are not taken into account. Misra believes that “the key to understanding the different effects of women’s movements lies in realizing the worth attributed to women’s paid and unpaid labor” (379). She notes that ideological differences concerning gender roles among women in one culture should be studied for variation as well. Importantly, Misra asks that historical and cultural forces be studied to determine how they help shape the actual outcomes of policies. An empirical model that includes different time lags may reveal a relationship between protests and social movement success but other indicators of a social movement’s existence should be included.

McVeigh, Myers, and Sikkink (2004) assert that the purpose of social movements is to act as an instrument of political representation through conventional political channels. The Christian Right might be an example of such a social movement because, while exhibiting elements of organization in the form of various interest groups, it was able to ideologically permeate the Republican Party. These authors measure social movement success, however, as a movement’s ability to recruit members. Again, this under-specification of social movements is

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<sup>76</sup> For example, Useem and Useem (1979) find that support among the public for protests can be predicted by the existence of the movement itself, not just confidence in government. That is, movements can cause attitudinal changes among the public.

empirically, and theoretically, problematic. McVeigh, Myers, and Sikkink study the Klan, as a movement, which they claim was predicated upon societal, not political, structures, and that sought to use political means to induce societal change. Arguably the Klan was more interested in influencing policy than recruiting members, who were likely more a means to an end. What they do provide, however, is a tentative outline for the analysis of social movement strength. Their dependent variable measures community support, mainly in the form of social movement membership. Membership is seen as dependent on societal constraints, measured by the amount of groups hostile to the movement (in this case, minority groups), and the percentage of potential supporters, Protestant white males (this was not actually measured).

While it is worth noting that some institutions are more flexible than others, it is much more important to study the social movement itself because not all movements end in protest. Indeed, some by their very existence, like basic tenets of feminism, are a protest of the very way in which we see politics and society. Indeed, visible manifestations of the social movement's impact can be seen in social institutions like universities. In the case of the women's movement, the proliferation of women's studies programs in universities can be attributed to its presence.

Using the anti-globalization movement as indicative of a new type of social movement, McDonald (2004) eschews the resource-based and collective action explanation for social movements in favor of "shared-identity". He suggests that social movement participants might share the same situation but not necessarily the same ideology. McDonald writes, "Important dimensions of these movements point less to forms of subjectivity where the 'I' understands itself as part of the 'we', but rather, to experiences of 'I' as 'another'" (583). That is, participants need not agree with all aspects of the movement in order to be considered a part of it. Scholars of the women's movement have long pointed out the diversity of perspectives, and interests,

encompassed by the movement which makes concerted action difficult, but nevertheless provides some unity among women (e.g. Squires, 2007). Interestingly, Squires points out that feminists have turned to the global arena, suggesting that it may be more fruitful than working locally in developing a “shared-identity” among women.

Silver (1998) finds that social movements sometimes derive resources from government institutions, problematic for the movement’s protection of self-identity. Social movements, then, are not necessarily entirely divorced from mainstream institutions and may even benefit in, for example, funding received for research or other nonprofit activity. Only with a strong, shared identity are social movement participants able to work with the resources of a political entity of which they are critical. The ways in which social movements utilize the resources available, or find external sources of strength to perpetuate their enterprise, are undoubtedly diverse, depending on the type of movement. A concentration on a specific type of resource social movements are postulated to need, for the specific type of outcome they are perceived to want, will miss defining their core essence. Simply put, the resources needed for a social movement are going to depend on the type of social movement it is.

The most important contribution of the social movement literature has been the work of social constructivists, prevalent in feminism more so than in political science. Druckman and Nelson (2003) would most likely agree with Zaller (1992) that elites frame discourse, and find that interpersonal interactions can mitigate their manipulative effect on the public. Social movements are representative of citizen preferences, expressed outside of the political system because the system does not provide an effective conduit of communication. They cast a shadow of doubt on the ability of Zaller’s elites to influence the public by focusing attention on how the public receives information and then proceeds to discuss it, something arguably lacking in

Zaller's study. The strength of interpersonal interactions and self-identification has been seen as a type of participatory political behavior.<sup>77</sup> Like Zaller, Druckman and Nelson find evidence that the politically knowledgeable tend to be more vulnerable to elite manipulation, but they diverge in that they provide more attention to the communication that occurs within the general public, elites notwithstanding. The mediating factor appears to be the social networks themselves, organizing how messages are actually received (and the duration of such messages).

Knowing how gender is embedded in social movements is advantageous in explaining political outcomes, according to Einwohner, Hollander, and Olson (2000), because gender is such a culturally powerful force in the shaping of perceptions and resulting institutions, like the legal system. Just as political scientists have long emphasized the power of racial politicking, Einwohner, Hollander, and Olson demonstrate that gendering can impose costs on the ability of a social movement to mobilize the public.<sup>78</sup> Mendelberg (2001), for example, demonstrates how racial rhetoric is used by politicians through implicit racial appeals, the modern day equivalent to blatant racism. By invoking racial stereotypes, politicians acquire votes. Einwohner et al.'s and Mendelberg's analyses of the cultural rhetoric used in power struggles are not contradictory. The identification of cultural norms and the location of their manifestation in political institutions, politics, and the entire social community is at the center of social constructivist theories. Gender can therefore be used as a tool in social movements that are not even interested in gender issues.

A review of the relevant literature above suggests the following definition of social movements: they are struggles against the political status quo and are identifiable by the nature

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<sup>77</sup> Green, Palmquist, Schickler (2002) do not take partisan affiliations lightly arguing that knowing the strength of someone's party identification will also tell us something about the strength of societal attachment. Indeed party identification is almost on par with religious and ethnic affiliation, strong indices of a person's sense of belonging to a group or society.

<sup>78</sup> They do not actually measure, in any quantifiable way, though, how this is done. They do identify three main framing tactics: gender utilized as an explicit goal (pro-choice, for example), gendered identities (what a movement symbolizes to the public), gendered attribution (opponents' use of negative gender images).

of their discontent and their observable manifestation in a given society, which can be operationalized, for example, by the form of protests or policy changes demanded. Policy changes are not a necessary result in order to be considered a movement but demands for policy change are. The variation in policy, in the form of family leave policy, is the dependent variable in this study because it represents the success of the women's movement in achieving certain motherhood rights. Demands for specific policy change cannot be measured directly in this study, but the presence of the women's movement in a community can. Operationalizing social movements is difficult and, if the model advanced here is to be robust, the women's movement must be quantified appropriately.

### ***The women's movement***

Beckwith (2001) provides the impetus for political science to undertake the subject of women's movements, writing:

The continuity of focus on the interaction of women's movements with the state fits clearly within the disciplinary purview of political science and its concerns with the state, with governance, and with citizen participation (374).

The women's movement is epitomic of social movements because of its wholesale rejection of patriarchy and its questioning of the most fundamental of social and political processes.

Studying the concerns raised by the many voices of the women's movement can bring understanding of how women are treated socially and politically. Finding a unifying theme, though, is near impossible. Still, women's experiences with political and social repression exemplify the ways in which formal and informal power structures can dictate rules of interpersonal relationships and influence beliefs that these social processes are natural, not man-made.



As the preceding discussion has stressed, social movements cannot solely be defined by organized groups. The women's movement is particularly characterized by its consciousness-raising momentum that has changed the social interactions at the individual and even international level. Squires writes, "What counts as the women's movement varies significantly in differing contexts, and can include national networks, organizations inside institutions, and grassroots groups" (120). This section will briefly examine the current status of the women's movement in the United States. A discussion of the movement's ideological core is provided, emphasizing the social and political impact of shared-identity and issue framing. The following section revisits the problem of finding an operational definition of social movements, and a proposal for the quantitative research on the women's movement is offered.

The history of the American women's movement illustrates the tensions among feminists grappling to define themselves within a framework of not just legal construction, but of social construction as well. How the issues are framed is crucial to success in the women's movement. If they are perceived as hostile to the dominant paradigm, or just outside the norm, political elites can easily crush support by appealing to traditional values in the public (Wolbrecht, 2000). In the earliest stages of American history, women's rights were nearly non-existent until they joined racial suffrage causes which fit more comfortably in the emergent Republican Party platform (Wolbrecht). Today, the question of how to frame women's issues, directly related to the problem of politically and socially defining what it means to be a woman, is unanswered. The women's rights movement, coupled with the civil rights movement, has had to pay for the gains made within the system by being incorporated within it themselves. How much substantive victory has been achieved is questionable if the patriarchal system remains intact and if women work within it.

Recognition that racial minorities have been serially excluded from the legal system was preceded by recognition that minorities have also been considered socially inferior. Delving into the root of women's social and political position is the next step in understanding how society incorporates values into government. Studies of women's political struggles in the United States confront a conceptual barrier produced by the historically masculinized world view. Broadening analysis to include interest groups in efforts to explain political influence may be a sufficient addition to studies of representation in most cases, but not always, as is clear in the case of women's interests. Sapiro (1981) explains that interest groups, for women, have not conformed to the traditional understanding of such groups because they have been less organized than their more traditionally-structured, albeit sometimes radical, counterparts. While co-option by government is a danger posed by political participation for all interest groups, women's groups are particularly susceptible due to the unique alternate worldview with which they present their demands. Whether actively conscious or not, many women's groups challenge the patriarchal status quo and are thus more threatening to traditional gender roles than other groups that, although they may have stark demands, are less resistant to socially acceptable political behavior.

Clemens (1993) finds that women's groups originated and always existed separate from government, but not necessarily because they were adverse to the system per se. "Politics itself was not rejected," Clemens claims, "only the existing forms of political organization, the models of the electoral party and patronage machines" (760). Dolan, Deckman, and Swers (2007), for example, found that early 20<sup>th</sup> Century women often took over the local political apparatus when corruption was seen as getting out of hand. "The typical pattern," they state, "was for the women to balance the budget, root out fraud, and retire shortly thereafter upon completion of these tasks,

typically after one term in office” (Dolan, Deckman, Swers, 187). Indeed, the women’s movement has been suspicious of politics, fearing assimilation if involvement becomes active participation within the dominant system (e.g. Squires, 2007).

It is apparent that many women’s groups are firmly situated in the government apparatus and women political leaders work actively for women’s rights through institutional means. At the institutional level, the women’s movement attacks gender issues through traditional modes of democratic participation, but the women’s movement does not operate solely on this level. Instilling a feminist sense in women could be said to take precedence over electing women into office. Considering the institutional and political changes of the past century, Freeman (1989) writes:

The real revolution of the contemporary women’s movement is that the vast majority of the public no longer questions the right of any woman—married or unmarried, with or without children—to work for wages or to achieve her fullest individual potential (555).

It is of no small importance that the women’s liberation movement was as protracted and controversial a historical development as it was, and debatably still is. At the very least, one must concede that the current state of American government is the result of thousands of demonstrations and court cases, and many more thousands of individual protests whether in public or in private. The presence of females in positions of power is hardly trivial. Still, scholars like Stetson (2004) and Banaszak (2008) have pointed out that American society has not yet accepted that gender inequality is as pervasive as it is. The women’s movement seems to have lost some momentum once legal “equality” was achieved.

The seemingly dwindling influence of the women’s movement is because the movement has expanded outward, addressing women’s issues in the international system (Squires, 2007). Squires points out that this reorientation resulted in part because feminists face less resistance

organizing and obtaining resources internationally than they do at the national level. “In place of a cohesive women’s movement,” writes Squires, “feminist activism tends to take the form of pluralized, professionalized, transnational NGO activism” (124). This begs the question whether or not feminists turned their attention to international issues because of perceived failures (or, conversely, foregone successes) at the national level. Moreover, what this means for women in the United States is unclear.

The approach to studying social movements has erred on the safe side. Not wanting to venture too far into social constructivist arguments concerning the impact of movements on ideas, authors have focused on the politically disenfranchised and their lack of resources in achieving policy change. Research should examine the variables that underlie the shared commitment to the movement. The women’s movement is defined by an alternative world view because it questions long-standing values of gender and society. While individual acts of social defiance, like protest, are important visible expressions of a social movement, it is the formation of groups that solidify ideas and structure demands in a coherent fashion. Freeman (1989) describes groups of women coming together in the 1960s, at first informally and later as part of groups like NOW, to discuss their experiences in a male-dominated environment. These early feminist “rap” sessions raised feminist awareness in women.

Similar to Freeman, Costain (1992) emphasizes the emotional power of the women’s movement, claiming that the well recognized resource mobilization theory does not explain the movement’s success. Of the movement she writes, “its passion and anger as well as organization, was the stimulus causing members of Congress to work for, vote for and brag in their campaigns about their support for women’s issues” (xiv). It was the wholesale change in attitudes, brought about by dedicated feminists that led to policy changes. Ideas precede

organization and, in a movement that challenges the status quo, the degree to which the public absorbs some of these ideas will explain a movement's impact on policy.

As Sanbonmatsu (2005) points out, though, public opinion still exhibits remnants of a past ideal of the husband being the breadwinner and the wife as the children's caretaker. Sanbonmatsu concentrates mainly on partisanship differences in opinions about social movements, but does not control for geographic location. The women's movement affects localities differently, as represented by the level of activism in a community or the number of women who self-identify as feminists. Gender relations are so powerful and ingrained in the social construct that consciousness of their existence is a necessary precursor to any meaningful impact a feminist organization will achieve in a community. Organization, therefore, must be coupled with educating efforts that connect the public to the new political and social messages espoused. Potentially even more powerful is the preexistence of a sympathetic community that may not be an overt supporter of women's issues in general, but a supporter of a specific issue that complements their values and policy preferences. For example, communities in which women have been more integrated into the workforce might be more amenable to women's rights issues when it comes to children.

Intending to situate women's movements in the realm of political science, Beckwith (2001) draws a distinction between women's movements, feminist movements, and women in political movements. The first two entail a questioning of state patriarchy and the last reflects women participation in movements that are not chiefly women-oriented. In the United States, the women's movement, being singular and all encompassing, is usually understood as encompassing many types of groups. Still, Beckwith's typology is helpful because it points out that feminist groups do not monopolize women's issues in the policy realm. Feminist groups are

only a part of women's movements and are not necessarily solely concerned with specific policy questions. When it comes to specific women's policy issues, like maternity leave, a feminist group, as understood by Beckwith, might not necessarily be the catalyst for change. A grassroots demand, arising from women in a community's workforce, might better translate "feminist concerns" into policy changes.

Though feminism has broadened the scope of what is considered political, feminist scholars have tended to elevate the aspirations of certain women's groups over those of others, especially those that display overtly feminist goals (De Volo, 2003). Especially challenging when researching women's progress at the local level is finding groups that are unequivocally feminist and also responsible for "feminist" changes in the community. De Volo, recording the experiences of members belonging to the Mothers of Matagalpa and Mothers of Heroes, groups of women that protest repressive governments in socially acceptable ways, writes:

If we define politics in terms of power relations, it becomes clear that power circulates in all social spheres, thus making it impossible to divide social life into political versus nonpolitical, private or domestic spheres (96).

In the case of family leave policy, although undoubtedly a feminist issue, we see a variety of types of women affected, many of who would not necessarily call themselves feminists, nor be interested in advancing broader women's rights goals. Identifying women's groups that view themselves as invested in the outcome of the policy becomes crucial, albeit complicated.

There is some historical evidence of women's impact on political and social life, particularly the role of women in supporting public order and conferring moral legitimacy (Miller, 1987). In depicting women's reign over deciding decency, Miller demonstrates the power that women have had by defining the social order. Conversely it seems women have also transformed society by taking on roles as liberators of the oppressed. This tension between

women as representatives of conventional values and women as dissenters of the status quo are present in the issue stances of women's groups today. However, Miller argues that modern day women tend to shy away from moralistic justifications for any given cause which has resulted in a loss of the overall social power they once had. Even more damaging for women's rights, Miller notes that women participate less politically because of socially produced gendered notions of appropriate behavior. Therefore, despite a history of women contributing to the social status quo, Miller claims that women "remain reluctant to accept this and continue to cast about for ways to couch the act of regulation so that it will sit more comfortably with traditional gender roles" (360).

Yet it does seem that women do retain moral dominance in the area of the family. Changes in family policy, encouraged by women's groups, are likely to produce more political and social recognition than changes proposed by groups that do not directly represent women's issues. This women-dominated hold on family issues can certainly be attributed to a normative value system that places a woman's knowledge of the family above that of a male. Still, it would seem that a women's group that emphasizes the moralistic aspects of family leave policy will receive a more favorable response than one that does not appeal to traditional norms and values. It is beyond the scope of this study to identify women's groups by the degree of their conformance to the status quo. Nevertheless, we can more readily identify an organization that is outside of the status quo and it will serve as the social group representation variable.

### ***NOW, the embodiment of the women's movement***

A unique opportunity to study social movements quantitatively is provided by the women's movement which has been, while fragmented, cohesive in purpose and, even when politically involved, true to its main tenants. "Women's movements may be coded as

autonomous,” writes Weldon (2002), “if they have an organizational base outside political parties, unions, and other political institutions” (1163). The women’s movement has simply not been as incorporated into the political system in the U.S. as it has in other countries and this may be largely due to the purposeful efforts of those within the movement. Yet, identifying the movement is empirically difficult. It would include an excess of variables with differing levels of analysis, degrees and types of feminist consciousness in participants, feminist actions, and feminist outcomes. Therefore, it is helpful to develop a concept that is relevant to the women’s movement as it pertains to political influence, and one that is accessible to quantitative analysis. Social group representation can be found in the organized embodiment of the women’s movement, discussed below, and its intellectual foundation, women’s studies programs, discussed later.

The contemporary women’s movement is represented by the National Organization for Women (NOW) as it has been able to withstand the ideological clashes that have characterized the women’s movement (Freeman, 1989). Moreover, it itself has been characterized by a hierarchical, centralized bureaucracy that more or less guides the activities of local chapters (Freeman). This structural characteristic is interesting in that NOW is highly unorganized in terms of its lack of one, coherent policy agenda. It is also the largest of feminist groups and contains more than 400 local groups that are relatively free to pursue those feminist goals they feel are relevant to their community (Barakso, 2004).<sup>79</sup> Allowing local chapters to organize was NOW’s attempt to escape their reputation as a strictly centralized organization and to demonstrate their desire to speak for women of all ethnicities and socioeconomic status (Barakso). As Freeman explains, while NOW has not been the sole representative of the

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<sup>79</sup> NOW is also highly secretive when it comes to their total membership numbers. As one NOW representative explained in a personal email communication, “Essentially, it keeps our opposition guessing. Many of our efforts become a game of numbers to legislators.”



women's movement, when more radical groups periodically emerge, NOW has frequently been called upon by government and the media because of its visible bureaucracy. Barakso describes NOW as being more diverse than critics have claimed. Indeed, Barakso points out that even though NOW leaders wanted to work within the confines of government, they were aware of the limits of government and the isolating effect that strong bureaucracy can have on grassroots members.

The presence of NOW chapters presents a useful operational definition of social group representation in that it can be used as a gauge of organized interest group activity in a community. It has been both a conscious-raising conglomerate of diverse feminist interests, and an organized entity that has lobbied government for change. It has been able to do this because it has been the largest feminist organization since the 1960s and because it is highly fragmented.

Working within the party system has certainly brought gains to the women's movement, but it has been confined to the preexisting social boundaries constructed over a long period of time. The United States has not looked favorably upon paid leave and the history of the women's movement illustrates an understanding of this. NOW, for instance, devoted relatively little in the way of lobbying resources toward demanding a universal paid, maternal leave policy because it has been preoccupied with more obtainable labor concerns, like equal pay and otherwise equal treatment on the job. Since the women's movement has been torn on how to define current gender roles, it has generally been unable to effect much change in the way of family leave policy.<sup>80</sup>

Movements, unattached to government, might not be primarily interested in influencing government policy. Weldon writes, "Strong, autonomous women's movements and effective

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<sup>80</sup> Although, Dr. Christine Day pointed out that FMLA was considered a huge victory for many women because of how hard-fought its passing was. Also, Dittmar (2008) points out that the New Jersey chapter of NOW was one of more than 30 groups advocating the state's paid leave plan (26).

women's policy agencies reinforce one another in improving women's representation. This effect is interactive: each factor magnifies the effect of the other" (1162). A conducive institutional structure, by her definition, does not exist in the United States and is therefore impossible to control for. Effective women's political influence must be measured using some degree of descriptive representation that Weldon summarily dismisses. She notes that women's bureaus in government are not necessary for a movement to have an effect and her findings show a weak, statistical relationship between legislative representation and policy. The U.S. equivalent to influence on women legislators may in large part be the presence of NOW in local communities.

### ***Quantifying the women's movement***

Staggenborg (1998) describes the existence of a "center" as helpful for strong social movements and that it is important to locate where in a community women can always meet. National ties amplify the strength of a local movement as they lend credence to issues, legitimacy in the eyes of the community, and resources that are both monetary and informational. Staggenborg's single case study of a small Indiana town identifies National Organization for Women (NOW) as such a national group with local affiliates.

Yet as this chapter has shown, using groups to represent a social movement's presence is somewhat incomplete even if it is a group as reputable as NOW. Ideally, a social movement's presence would be measurable by gauging the instrument of its strength, the public's support for the movement. There are a few ways to ascertain the women's movement's impact on the consciousness of the public. Through public opinion surveys, one could ascertain the self-reported level of feminism in both men and women. Self-reports of activists may also be a source of valuable information regarding the movement's impact.

Cole, Zucker, Ostrove (1998) compare groups of feminist activist and non-activist women who were students at the University of Michigan in the 1960s and 70s to ascertain differences in later choice in life. Some useful measures of women's individual feelings of political and social empowerment are provided as they attempt to gauge the level of "feminist consciousness." Specifically, they name three types of categories for assessment: the amount of system blame for the lack of women's progress, personal assessments of the effect of the women's movement, and the degree to which individuals identified with feminism. Ultimately, women who were active in the women's movement in the 1960s and 1970s reported significantly higher levels of feminist consciousness than women who were not. Particularly significant were the differences found in political attitudes and behaviors. Previous women activists were significantly more active in political organizations and activities. "Thus, the political socialization and general political consciousness that the former student activists bring to their sense of feminist consciousness," Cole, Zucker, and Ostrove state, "may be a resource that fuels their continued involvement" (367).

Cole et al.'s findings suggest that a university setting encourages feminist awareness among students but, without comparison to non-students, or students from other universities, their evidence is unpersuasive. Had respondents been asked to list their academic majors, and feminist classes attended, additional information might have been gleaned regarding the women's current political activities. Nevertheless, their study provides some evidence that a specific type of university experience can affect political participation later on in life. This might be especially pertinent to feminist activity because a university setting presumably offers many women their first exposure to "feminist" thought. Arguably, students who partake in women's

studies courses will be more knowledgeable of feminist history, philosophy, and politics than students who do not.

Feminist academics have provided the language for the women's movement and have made it their cause to further women's rights. Universities that provide programs in women's studies legitimize this field of research by allowing students the option to build a career based on their interest in feminism. These students, as members of the community, contribute to the overall feminist presence in a city, but they might choose not to participate in NOW or other political organizations. By taking on different positions in the community, these women impact a wide range of organizations and informal social groups. Women's programs could also be considered a reflection of the community's openness to feminist thought. Their presence indicates a demand from the students, many of whom are current or future residents of the community.

It would be preferable to collect information on individual women's affect towards the women's movement and feminist ideals in the cities studied, but the resources necessary to do this would be extensive. NOW's presence might suffice as a measure of the women's movement, but including the intellectual manifestation of the modern feminist revolution, women's studies programs in universities will add depth to the measure. Thus, "social group representation" is measured not only by the presence of NOW and women's studies programs separately, but also by their joint presence in a city.

In the sample of 370 large cities, almost thirty-nine percent of the cities examined had one or more women's studies programs in an accredited university or college (140/364, 38.6 percent). Table 3.1 below reveals that there is a statistically significant relationship between the existence of a NOW chapter and having a women's studies program.

**Table 3.1**  
**Symbols of the women's movement: A cross-tabulation of NOW chapters and women's studies programs**

<b>Presence of a NOW Chapter</b>	<b>None</b>	<b>One women's studies program</b>	<b>Two or more women's studies programs</b>	<b>Totals</b>
<b>None</b>	162 (77.1%)	51 (44.0%)	10 (27.0%)	223 (61.4%)
<b>NOW chapter present</b>	48 (22.9%)	65 (56.0%)	27 (73.0%)	140 (38.6%)
<b>Totals</b>	210	116	37	363

Note: Gamma=.640, p=.000

NOW chapters and women's studies programs are more likely to be present where one or the other is present. Ultimately, their additive affect on the community will be assessed. The presence of the ideological commitments of the women's movement in any given community do not necessarily create a demand for maternity leave policy per se, but may create a context favorable to a more comprehensive policy.

### ***Theoretical expectations for social group representation***

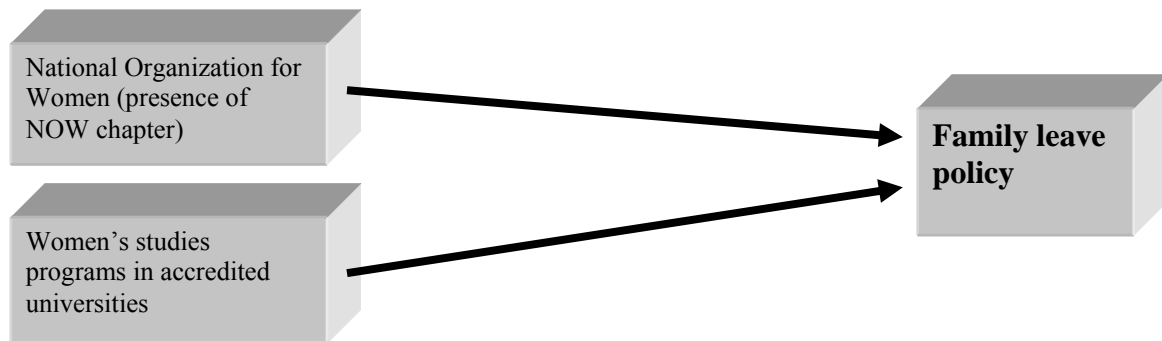
The diagram in Figure 3.1 presents a testable model for the impact of social movements on family leave policies. The hypotheses derived from it are:

H<sub>2</sub>: As the number of women's studies programs in accredited universities or colleges increases, the comprehensiveness of family leave policy increases for that city's school district or police department.

H<sub>3</sub>: The presence of a NOW chapter in a city will increase the comprehensiveness of family leave policy.

H<sub>4</sub>: The additive effect of women's studies programs and the presence of NOW will positively affect comprehensiveness of family leave policy.

**Figure 3.1**  
**A dynamic model of representation and policy**



Social group representation for cities is operationalized on two dimensions: women's studies programs in universities and the presence of local chapters of NOW. The influence of both variables will be assessed independently of one another and as an additive variable. Presumably, the combined strength of both will impact policy more than the existence of one or the other. A direct relationship between social group representation and policy outcomes is illustrated in the above diagram and hypotheses, but it is expected that social group representation is more a condition than an instigator of change. Not all, if any, community NOW chapters lobby for more comprehensive leave policies in school districts or police departments specifically. NOW chapters, and women's studies programs, simply represent the presence of a heightened feminist consciousness, which in turn can be said to directly influence policy demands. This is a dynamic relationship, meaning that the causal mechanisms, and their agents of change, are in a state of constant flux.

It is important to note that descriptive representation could be affected by the variables identified above. The presence of the women's movement changes the socio-political milieu of a community, which in turn impacts the election of representatives into office. The relationship between political representatives and community members is symbiotic in that the values of the

community are expected to influence the values of the officeholder. As demonstrated earlier in the chapter, a major goal of the women's movement has been to elect women into office in hopes that they will advance the values of the movement. Therefore, in addition to specifying the relationship for its corollary effects, it must be recognized that descriptive representation and social group representation are conceptually linked in theory.

### ***Conclusion***

Many men in the workforce have wives who work and many men are also fathers who watch their wives juggle family and work responsibilities. As equitable as the task sharing may be in a partnership, the realities of the job market are such that women suffer disproportionately for being parents. The idea that mothers contribute to society by raising children has gained considerable media clout, but it has yet to stimulate more than enthusiastic head nods in the U.S. policy arena.<sup>81</sup> Media and scholarly appreciation of a mother's unique social position is not enough; substantive recognition must follow before the women's movement can be deemed successful in this area.

This chapter has argued that while traditional modes of political science research are helpful in studying the impact of social movements, they are secondary to methods that first stress the ideological and historical underpinning of a social movement. Presented here is an analytic design that relies on proxies (i.e. NOW chapters and women's studies programs) for the less tangible aspects of the women's movement (i.e. cultural impact). The women's movement is an exemplar of a movement's potentially revolutionary impact on all aspects of interpersonal and socio-political life. Only by understanding the movement's development, and the values espoused, can appropriate measurements be discovered. NOW and women's studies programs

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<sup>81</sup> [http://www.usatoday.com/news/health/2005-07-26-maternity-leave\\_x.htm](http://www.usatoday.com/news/health/2005-07-26-maternity-leave_x.htm), last referenced July 3, 2008.

are only symptomatic of the movement's presence in a community, but research suggests that they are representative of groups of women in a community that propagate feminist values. Thus, "social group representation" is presented as a gauge of the women's movement's presence in a community and can be utilized as a quantitative predictor of policy change, especially in the area of women's issues.

Institutions are not affected similarly by social forces for various reasons stemming from bureaucratic and employee recalcitrance to organizational goals and processes that are somehow oppositional to the movement. As the focus of this study is on a women's policy issue and what its success is predicated upon, the degree to which the implementing organization is women-friendly needs to be assessed. Chapters 4 and 5 will demonstrate how gendered institutional contexts can modify the effects of social group and descriptive representation.



## **CHAPTER 4**

### **Gendered Institutions: The Femininity of Public Schools**

Every institution has a “culture” because it is shaped by the social interactions of its participants, not just by its material organization. Strongly reflected in these interactions is the gendered value system of the institution and, to a large extent, the external environment in which that institution is situated. For instance, Swers (2007), in a study of United States Senators in the post 9/11 era, finds that female Senators are not able to garner the media attention necessary for public support on defense related issues. She concludes, in essence, that defense policy is made in a “gendered context,” in which women are perceived as not as capable as men. The gendered processes of institutions reflect a power struggle inherent to society. In the political arena, the predominantly male composition of office holders will affect informal and formal processes to such an extent that their interests are privileged but, at the same time, appear to be a result of a process that is fair to all members. Non-political entities are arguably similarly affected.

Azar (2007) finds that gendered characterizations inevitably harm women more than men. She specifically argues that most socially desired leadership qualities, such as assertiveness, are perceived as being masculine. This understanding of different gender attributes, and their treatment by employers and employees in the workplace, is often the basis for explaining why women are under-represented in leadership roles. If the workplace is gendered in a way to benefit males, and if women are indeed under-represented in positions of power, the next question should be how this affects women. As argued in the previous chapter, it seems that, at the very least, women in positions of power can affect the policy dialogue by introducing previously “uncrystallized” women’s issues (Mansbridge, 1999). If women political representatives are able to affect the institutional dynamic and resulting policies, women who work in high-level administrative positions within those institutions may also make a difference. Indeed, women representatives may

face a recalcitrant bureaucracy populated mainly by men and/or characterized by a culture steeped in a masculine value system.

The impact of gender on policy will be examined on two levels: the micro level and the cultural, being the macro level. At the micro level, a woman's influence as a leader will be assessed when examining an institution's leave policy. At the cultural level of analysis, the institution becomes the unit of scrutiny and broader patterns of social behavior, infused with that organization's history, are considered. The literature presented here will support the analytic assumptions made in Chapter 6, which posits that institutional culture can be modeled. The test of the differential impact of gendered institutions on policy will be to compare two types of organizations located close to opposite ends of the gender continuum, law enforcement agencies and public school districts. While future studies may consider the identification of gendered institution variables, the research here takes a holistic approach, focusing more on the socio-cultural history of the examined institution rather than its specific characteristics and processes. This entails a critical assessment of the research on schools as gendered institutions (and, in Chapter 5, police departments), which has largely been unconvincing in regards to the supposed "femininity" of schools.

This chapter focuses primarily on the more "female" of the two institutions, the public school system, and identifies why it serves as part of a test for the proposition that a gendered institutional culture shapes outcomes. Before proceeding, however, the literature addressing gender, gendered institutions, and what can be considered the process of gendering, will be reviewed. An analysis that approaches schools from a gendered perspective then follows. Bureaucratic and political variables thought to impact representation in higher levels of authority will be identified. Specifically, the presence of a female superintendent and female school board

members are identified as individual level variables that might affect maternity leave policies in school districts.

Lastly, a model is presented that integrates a theory of descriptive representation with a theory of gendered institutions. Women's political representation is expected to relate to maternity leave policy for teachers. Data on a sample of school districts are collected and presented for substantive evaluation. If schools are indeed more women-friendly, they will, all things equal, have leave policies that are more comprehensive than police departments. However, other variables are likely to cause some variation among school districts and between districts and police departments. This chapter and the next argue that women must also possess some degree of bureaucratic power in order to achieve women-friendly outcomes. The hypotheses offered will address the constraints faced by women in working in an institution that is said to be gendered in the female construct.

### ***Identifying gender in institutions for quantitative analysis***

As the previous two chapters have argued, gender can be treated dichotomously in analyses, so long as its cultural implications are acknowledged. Many feminist scholars encourage the development of a more complex set of indicators that measure gender based on socially defined attributes, not just biological features (Acker, 1992). Scholars in the field of international relations have been less reluctant than scholars in other fields of political science to incorporate gender in their research. This may be due to the field's strong constructivist vein that unabashedly takes on more abstract variables that influence state behavior (e.g. fear). To understand the actions of a state, the state's history and culture must be taken into consideration.

Political scientists who concur that gender is an important variable disagree on whether it should be considered an all-encompassing cultural construct or simply another variable, like

party identification. Carver (2003), critical of gender's analytic scope, writes "gender can function within a framework, but it is not the framework itself" (288). Kinsella (2003) points out that gender is derivative of constructivist theory because it is commonly viewed as a socially constructed phenomenon. Among students of gender this is considered almost an indisputable fact, but the degree to which it affects political life is debatable. Claiming that males have played the lead role in just about all institutions present today, excluding perhaps the family, Acker writes, "gender is present in the processes, practices, images and ideologies, and distributions of power in the various sectors of social life" (1992: 567). From Acker's description of gender it is clear viewing gender as all-encompassing makes identifying gendered processes difficult.

Certainly, gender is not so much a label for sex-defined roles as it is a framework of organization through which to view society, and is comprised of a multitude of characteristics. Observation guided by gender, a socially constructed phenomenon, involves identifying human interactions organized by gender, not solely race or class. Studies of racial minority groups, for example, have long noted how racism can permeate seemingly neutral institutional structures. To feminist scholars, racism and sexism are inextricably linked because patriarchal societies engage in the subversion of minority groups in conjunction with the subversion of women (e.g., Mizrahi and Lombe, 2006). Not uncommon to feminist studies, work utilizing gendered strategies of analysis tend to include the effects of race.

Historical policies can be self-perpetuating, contributing to a type of institutional memory that reproduces past inequities. For example, in the past police departments have formally excluded women, thus creating the illusion that police work is "men's work". Even though women have since entered the profession, it is still viewed as such by the media and by the

public at large. This no doubt contributes early on to women's self-exclusion from police work. While no formal structures remain preventing their entry into law enforcement, a lifetime of social experiences have successfully reinforced antiquated notions of women as police officers.

Some progress has been made in political science in demonstrating empirically the gendered nature of institutions. Hawkesworth (2003) argues that Congress should be viewed as a gendered (and "raced") institution. She interviews congressional representatives from the 103<sup>rd</sup> and 104<sup>th</sup> Congresses, applying hermeneutics as an analytic device. She defines "racing-gendering" as "the production of difference, political asymmetries, and social hierarchies that simultaneously create the dominant and the subordinate" (531). Through thorough examination of narrative, Hawkesworth argues that the gendered processes in an institution can be isolated and measured.

Overall, however, political science has only reluctantly begun to accept that there are gendered processes at work in social and political institutions (Kenney, 1996). Kenney attempts to provide a clearer description of how gender influences institutions, claiming that it entails recognition of gender in employees, which in turn influences the types of experiences employees have. This does not seem to offer, however, a concrete suggestion that will facilitate effective measurement of the concept. Kenney acknowledges that there could be a "critical mass" of women that could alter the overall gender of an organization. Still, the danger of women simply adopting the norms of that male-dominated setting remains. In addition, the question of which processes are female and which are male is left unanswered. In essence, we are left with the conventional measure of descriptive representation (i.e. the dichotomous sex variable) as our gauge of the level of gender in an institution, female or otherwise.

At present, the best possible course of action appears to be qualitative study on the institution of interest, with inferences based on observable outputs, the policies themselves. Much of the research on gender in institutions relies on qualitative observations, like interviews with employees, which are invaluable to understanding that institution's gendered context. This type of scholastic interpretation of complex social phenomena is not easily replicated and is vulnerable to criticisms of being overly subjective. What Benschop and Doorewaard (1998) call "subtext analysis" is important, but is not undertaken here as it is a topic more fitting for those wishing to gain in-depth knowledge on the substance of gender in institutions. It involves an understanding of institutions and institutional processes as biased. From there, theorists identify the specific processes that harm women or racial minorities in a manner that can only be attributed to the sex and/or race of the employee.<sup>82</sup>

Benschop and Doorewaard examine the clerical department of a Dutch bank and find that even though two-thirds of the department was female, the organization was biased in favor of men because of the women's lower-paid status and identification as mothers. Just as we are asked to rely on Benschop and Doorewaard's construal of the apparent masculinity of Dutch banks, for example, we must rely on previous research on police departments and school districts. That is, based on the literature and scholarly findings on both of these institutions, we can define one as female gendered and the other as male gendered. Both contexts result in the unequal treatment of that institution's participants.

Quite possibly the most damaging effect of gender on institutions' policies comes from a denial of gender's importance as a construct. Benschop and Doorewaard define this as "gendering" writing:

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<sup>82</sup> In their study, for example, they question an organization's team work ethic as being gender neutral, claiming that one of its core values, entrepreneurship, is inherently male.

The way people deal with the gender inequality-that-cannot-be: they prefer agreeable interpretations of relations between men and women that firmly stress equality, covering [ignoring] unappealing accounts of inequality (794).

Policing is a field that has become more aware of its gender-discriminatory practices and, in recent decades, has taken notable steps to rectify these practices. Schools have been primarily presumed to be a female occupational space and thus beneficial to females (Acker, 1995). This might be because of the formal and informal policies that have developed over time to accommodate them. It might also be the case that teachers have absorbed a gender identity that is subservient to the outside male-dominated culture because of their own tacit compliance with its construction and the long, historical precedence that has supported it (Acker, 1992).<sup>83</sup> Teachers might be replicating traditional gender roles at work, in so doing accepting long-standing, antiquated policies on family leave and disapproving of any radical change to the status quo. After a study of women primary school teachers in England, Acker concluded that there is an absence of feminists, although not females, in the teaching profession.

Feminist interests are allegedly consumed by the overarching masculinity of virtually all institutions in the United States (Norton and Morris, 2003). Enloe's (2000) research on the militarization of society provides a detailed explanation as to why, and, more importantly, how governments have been largely characterized by patriarchy, favoring male dominance over females in politics and international relations. Even though the world has made strides towards a more egalitarian society, major remnants of patriarchal behavior continue to exist. A prime example of this rather stagnant feminist progression can be found in the treatment of women in the military, according to Enloe, where the policies dictating how women can serve reflect some of the most traditional conceptions of male and female roles. Particularly visible is the exclusion of women on

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<sup>83</sup> Acker (1992) writes, "It could be argued that women primary school teachers are contributing to the reproduction of gender inequality by their acceptance - unwilling as it may be - of the inequalities in their own lives" (160).

the front-lines. This policy has long ranging effects since serving on the front-line affords a person an elevated measure of status that is useful for promotional purposes.<sup>84</sup>

Enloe succeeds in questioning the widely held belief that the military, as it has manifested itself in the past and as it is today, is the most effective means of state interest protection. Displays of force and an extensive arsenal are considered suitable tools for international relations. The nearly universal acceptance of a strong military as a necessary condition for peace has made the military establishment, while oft-criticized, nearly impervious to change. Statements to the contrary evoke accusations of naivety and are scorned as idealistic (Fukuyama, 1998).<sup>85</sup> Within the feminist discourse, according to Enloe, there is a debate as to whether or not women should even avail themselves for service due to the military's longstanding female counter-ethic. This is largely because once women join the military they may be subject to degrading treatment. Moreover, by not challenging policies, such as the barring of women from the frontlines of combat, the status quo remains.

The research on gendered institutions is encouraging in its breadth but it can neglect the scientific tradition of concise variable definition. Although not always clear in identifying the actual processes that are said to be gendered, some research on how schools are gendered, particularly in terms of women's roles as teachers and administrators, has been conducted. The next section will concentrate primarily on women in leadership positions who exercise some degree of control over policies and hiring practices. Not surprisingly, political science studies of racial minorities in the school system seem to surpass research focused solely on women in the school system. While

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<sup>84</sup> These traditional role conceptions are also evident in the treatment of military wives who are considered more legitimate heads of the family unit than husbands of enlisted females. Husbands of military women, though rarer than the converse, are not afforded the same respect because they do not conform to the military's long-standing stereotype of the diligent, military wife who provides free child care (Enloe, 182).

<sup>85</sup> Fukuyama (1998) writes, "While some gender roles are indeed socially constructed, virtually all reputable evolutionary biologists today think there are profound differences between the sexes that are genetically rather than culturally rooted, and that these differences extend beyond the body into the realm of the mind" (30).



sociology, psychology, and women's studies provide much insight into the informal mechanisms of social definition and gender construction in the school system, the purpose of this next section is to build a framework upon which the more tangible gendered processes within school systems can be identified.

***The public education system: A female institution?***

Teaching, due to historical circumstance, is a female occupation particularly in U.S. public schools. The U.S. Census reports that 71% of all teachers are women (98% of all kindergarten and preschool teachers, 59% of secondary, and 46% of postsecondary).<sup>86</sup> As evident from the statistics, the proportion of men that are teachers increases as the grade level increases, a possible variable of interest. Teaching higher grade levels may carry more institutional prestige. The gender context could differ, for example, within high schools and elementary schools in the same district. It is interesting to note that preliminary studies seem to illustrate that even in male-only schools, the stereotype of a female teacher remains (Martinoia and Frank, 2006). To gain the respect of the boys in an all-boys school, Martinoia and Frank found that male teachers stressed their abilities in sports and their aggressiveness in discipline. Women teachers in male-only schools might actually have an advantage in that their position is not viewed as unusual for their gender, thus attaining higher status and more student deference than males.

An important element of this study will be to ascertain whether the public school system, in its entirety, is gendered more in the female construct than are police departments. A preponderance of men on school boards and in top administrative positions of school districts has typified, and still does, the United States public school system. Nevertheless, women have

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<sup>86</sup> [http://www.census.gov/Press-Release/www/releases/archives/facts\\_for\\_features\\_special\\_editions/001737.html](http://www.census.gov/Press-Release/www/releases/archives/facts_for_features_special_editions/001737.html), last referenced July 3, 2008.

begun to climb up the administrative ladder and have claimed leadership positions on school boards as well as become principals of schools. Concurrently, more men have broken stereotypical occupation borders and joined the ranks of women as teachers.

Keiser et al. (2002), in a study of public schools, describe the bureaucratic structure as gendered by focusing on an organization's representation of women at different levels. They conclude that more female administrators, in a weaker hierarchical system of control, are beneficial for students measured in terms of math scores. While establishing support for the importance of institutions, this study is unconvincing due to its lack of methodological rigor. The math scores of boys are never compared to those of girls and no credible control is included that would suggest that math scores are related to the school's lack of resources, for example. Keiser et al. call attention to the tendency of political scientists to ignore the gender/sex distinction. Still, Keiser et al.'s claim to take the social meaning of gender into consideration is never substantiated with a better quantification of gender than simply noting its binary biological distinction. Nonetheless, their work is a useful reminder that women-friendly policies will be affected by the structure of an organization, not just descriptive representation with an organization, and that this structure may be gendered.

Women historically dominated public education, but never the administration of the system (Czubaj, 2002). Scholarly studies of school districts corroborate Census counts that school boards are largely male in composition and district superintendents are usually male (Bell, 1988). A study by the American Association for School Administrators (AASA) in 2000 found that middle school and high school teachers are better positioned for advancement to positions as school principal.<sup>87</sup> The study also found that a candidate with experience as a school principal was more likely to be successful in his or her bid for superintendency than a candidate who did not have such experience. The AASA also cites male-dominated school boards as a possible

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<sup>87</sup> <http://www.aasa.org/publications/saarticledetail.cfm?ItemNumber=4046>, last referenced July 3, 2008.

hindrance to female applicants to the position of superintendent. Less studied than the process of superintendent selection is the social environment from which candidates are drawn. Upon surveying superintendents, Bell (1988) claims that the socio-historical context of a district is an important factor in choosing a superintendent. She writes, “Superintendents are expected to be in-charge, strong and decisive; women are expected to be responsive to others’ needs and not too aggressive” (55). Women encounter stereotypes concerning their ability as school superintendents from the school board and the community, both of which are strongly shaped by larger societal values that dictate gender-appropriate attitudes and activities.

While school board members have traditionally chosen superintendents, Reid (2004) notes a developing trend for school boards to contract out to private firms for the recruitment and evaluation of applicants. The impact of this on the selection of women for superintendent positions remains to be seen. AASA estimates of the number of women superintendents of public school districts in the United States remain as low as fifteen percent (see footnote 6). The ranks of teachers are overwhelmingly comprised of women, bestowing schools a reputation of being gendered in the female construct.

Despite the scholarly recognition of schools as part of the female domain, much of the research on representation in the public school system centers on the effect of the minority composition on school boards and its impact on policy. Arrington and Watts (1991) demonstrate that at-large systems for electing school board members tend to impede black representation on them. They accomplish this by employing Engstrom and McDonald’s (1992) methodology that links the number of black registered voters to black representation on school boards. In North Carolina school districts in which school board members are appointed rather than elected, Arrington and Watts find that black representation increased as the black voting population

decreased, in contrast to the elected boards.<sup>88</sup> Stewart, England, Meier (1989) also deem at-large elections detrimental for black representation.<sup>89</sup> The research on racial minority representation is rich with insight on how different electoral arrangements can produce different outcomes irrespective of voter preferences. Little current research in the area of women's representation on school boards and electoral systems has been conducted, however.

The scholarship on women who hold elected school board positions is virtually nonexistent. This is surprising because the dearth and inequality of female representation on school boards, as well as in other top administrative positions, should arguably spark an interest as to why this might be the case. School board members are chosen in a variety of ways ranging from district-based elections through at-large elections to, though less commonly, selection by mayors and city councils.<sup>90</sup> What these non-elective methods of choosing school board members entail for female and minority representation is not clear. The public school system in cities tends to be separate from city government due to a strong desire in most communities to keep politics out of schools (Stewart, England, Meier, 1989).

Evidence of discernible differences in men and women school board members has grown considerably since Bers' (1978) 1975 survey of Illinois school board members. Bers found that women, more than men, tend to have a background in community service, like the Parent Teacher Association (PTA), and are also more likely to stress public relations work as important. Interestingly, but not expounded upon, Bers writes that male school board members actually exhibited some traditionally-held female traits, such as valuing the maintenance of board

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<sup>88</sup> In a study of United States school districts numbering at least 5,000 students, Leal, Martinez-Ebers, and Meier (2004) echo these same findings in their examination of the Latino population and propose that this may be due to the politicized nature of the appointment process.

<sup>89</sup> Leal, Martinez-Ebers, and Meier (2004) find much of the same can be applied to the Latino community but add that once the population reaches a majority status, the electoral system is not as significant on representation.

<sup>90</sup> An exception to the methods mentioned above, three of nineteen Delaware school districts are vocational districts in which school board members are chosen by the governor (<http://www.edsba.org/handbook.html#sel>, last referenced July 3, 2008).

“harmony” (387). On the other hand, she found that men were more likely to stress the importance of financial and business matters, conventionally viewed as male issues, more than females did. In regard to the gendered behavior of school board members, Bers’ findings were inconclusive. However, the differences she found between men and women warrant further exploration.

Also interested in studying the impact of female elected officials on behavior and outcomes in office, Turner and Breslin (2002) examine women’s impact on the administration of a public body. They hypothesize that female state judges, specifically those in chief judgeship positions, will fashion their managerial agenda to promote women’s issues.<sup>91</sup> Their study is intriguing in that it suggests that women in positions of administrative power, elected or not, can alter an organization’s processes and priorities, ultimately creating an environment friendly to women’s issues and policies. Women chief judges, by setting the agenda, can designate resources and time to the promotion of women’s issues.

The effect of the community’s value system, and the resources available to prospective board members, should be researched in conjunction with a measure of women school board members’ feminist ideology. It may be that women in government generally are beginning to break gender barriers, but in public education the barriers remain due to a collective unawareness of their existence. Jennings and Farah (1981) found that women were not as ambitious as men in pursuing political office, but this tendency may be less pronounced today. However, in the case of school boards, we may find that social constraints, much like those that have existed in the past, are acting on women and preventing them from running for office even on school boards, which have long been viewed as the most women friendly offices among the elected offices in the United States.

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<sup>91</sup> As discussed in Chapter 2, their definition of “women’s issues” is rather broad, explaining perhaps why a large percentage (24%) of the judges’ administrative agenda concerned such issues. Furthermore, the ideological leaning of the judge was not included in the analysis nor were demands of the community.

Studying the interaction of race and gender on the desire to run for school board could yield some useful results but, unfortunately, is beyond the scope of the present study.

Due to the observation that the number of teachers who are black seems to be affected by the proportion of school board members that are black, Stewart, England, Meier (1989) stress the importance of descriptive representation.<sup>92</sup> The black proportion of teachers was found to be influenced most by the presence of black administrators, a finding that may be applicable to future research studying the effect of female administrators on the number of female teachers.<sup>93</sup> Again, research on minority groups provides much needed acumen. Controlling for the size of the Latino population, Leal, Martinez-Ebers, Meier (2004) find that Latino school board members exert a positive effect on Latino administrators, but not on teachers. They postulate that this is probably because it is ultimately the administrators make the hiring decisions, not school board members. Extrapolating from these findings, the presence of women superintendents should impact a district's policies distinct from the presence of women on school boards.

### ***Descriptive and bureaucratic representation in U.S. public school districts***

Chapter 6 will discuss data collection and coding decisions more fully but a basic description of the methodology may be helpful here. Descriptive representation will be measured on two dimensions in school districts: bureaucratic and political. Superintendents constitute the bureaucratic component whereas school boards constitute the political component of representation.<sup>94</sup> The sex of superintendents is coded dichotomously with 0 = male and 1 =

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<sup>92</sup> In a sample that included all U.S. districts with 15,000 or more students, Stewart, England, and Meier report that in 1986, 19% of school board members were black. Additionally it was found that approximately 20% of school administrators, and approximately 20% of all teachers, were black.

<sup>93</sup> Although the relationship between female administrators and the number of female teachers, if any, is probably more pronounced in the higher grade levels, as explained later in this section.

<sup>94</sup> The study, sponsored by the American Association for School Administrators (AASA), argues that because school boards have been dominated by males, they might be less likely to hire female superintendents than male superintendents (<http://www.aasa.org/publications/saarticledetail.cfm?ItemNumber=4046>, last referenced July 3, 2008).

female. For school board representation, the percentage of women is calculated. In the sample cities, 88 (n=357), or 25%, of school superintendents were women. This is clearly much higher than the AASA's finding for 2000, 13%. This might be because only the largest of school districts are considered in this study and/or because women's representation in superintendent positions has indeed increased from the time of the AASA findings in 2000.

Table 4.1 contains a description of the variables' statistical distributions. The mean percentage of women members on a school board is 43%. Comparing these results to the mean of 27% obtained for women city council members (n=370), women are better represented in a descriptive sense on school boards than they are in local city government. In only one case, the Indian River County School District in Vero Beach, Florida, is all of the school board women, while no women were present in eight of the school boards.<sup>95</sup> In contrast, 45 city councils were found to be all male in composition. Again, women's representation on school boards fares better, in the descriptive sense, than it does on city councils.

<b>Table 4.1: Descriptive statistics for school districts</b>				
<b>Variable</b>	Average female representation	Standard Deviation	Minimum and Maximum Values	
Superintendent Gender	0.25	43%	0	1
Percentage women board members	0.43	19%	0%	100%
Percentage women teachers	0.69	6%	29%	86%
Kindergarten and elementary school*	0.79	7%	8%	89%
Secondary school*	0.59	8%	0%	83%

Note: \* indicates the percentage of women teaching at these grade levels. Superintendent and percentage women board members: n=357. Teachers: n=292.

<sup>95</sup> <http://www.indian-river.k12.fl.us/SiteDirectory/SchoolBoard/Pages/BoardMembers.aspx>, last referenced April 23, 2008.

No evidence is found indicating that higher percentages of women on school boards increase the percentage of women among the teachers.<sup>96</sup> The gender of superintendents and board composition does not seem to be related to each other either.<sup>97</sup> Nor was there evidence found that suggests women superintendents preside over school districts with a high percentage of women teachers. Reversing the causal order of the variables also did not yield statistical significance. In short, it appears that multicollinearity is not a problem among the independent variables, allowing for linear regression analysis that designates leave policy as the dependent variable.

Men are presumably more likely to teach in secondary schools, where there is a greater potential for career advancement, than in kindergarten and elementary schools. Some of the literature has suggested that grade level differentiations might reveal gendered employment patterns. To account for the possibility that the gender composition of school boards and superintendent positions influence the gender composition of teachers by grade level, additional regressions were run. The U.S. Census provides statistics on elementary, middle school teachers, and secondary school teachers at the level of metropolitan statistical area (n=292).<sup>98</sup> The Census reports that 59% of secondary school teachers and 84% of kindergarten and elementary school teachers are women. These statistics appear to support a gendered division among the grade levels taught. Again, no significant relationships are found between bureaucratic and descriptive representation after the grade level of teachers is accounted for.

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<sup>96</sup> The unstandardized regression coefficient that results from regressing the percentages of teachers that are women onto the percentages of women on the board is -3.5 and statistically insignificant.

<sup>97</sup> Interestingly, the relationship between the mayor's gender and the superintendent's gender was found to be weakly associated ( $\phi=.082$ ,  $p=.121$ ). Tentatively, some evidence for a social-environmental effect can be projected from this.

<sup>98</sup> Unfortunately, statistics are not available for school districts alone rather they are by metropolitan statistical area. ([http://www.census.gov/hhes/www/eeoindex/page\\_c.html](http://www.census.gov/hhes/www/eeoindex/page_c.html), last referenced July 3, 2008).



In an institution as steeped in traditional gender role expectations as public schools, the insignificant findings concerning the relationships between the relative presence of women in some positions and their relative presence in other positions are not surprising. Much of the literature reviewed thus far has concentrated on the relationship between bureaucratic and school board representation. Women already make up the majority of teachers in schools so adding more females is not likely to affect work force composition much. It might, however, affect how women friendly the school district is to its currently employed women, which is a topic for Chapter 6.

### ***Maternity leave policies in U.S. public school districts***

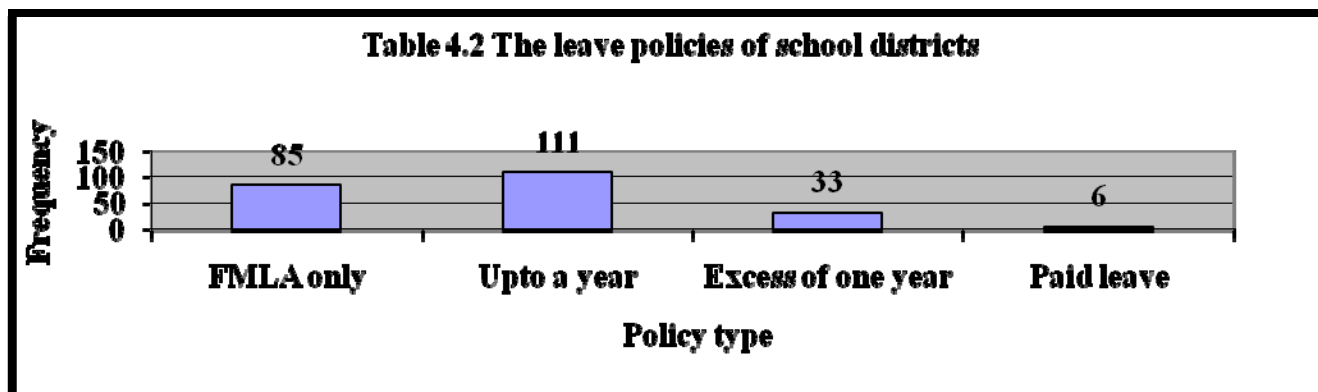
Women teachers may dominate the ranks but the extent to which personnel policy reflects their interests remains to be determined. Cities and school districts serve as the units of analysis for this study (further details provided in Chapter 6). When there are multiple school districts within a city, the district populated with the most students is chosen for analysis.<sup>99</sup> The family leave policy of school districts is frequently found in the board policy manual posted on the district's website. In the cases where the policy is not readily available through this source, the Human Resources departments of the school districts were contacted.<sup>100</sup> A listing, presenting the most relevant aspect of the coding decision along with the school district examined, is provided in Appendix A.<sup>101</sup> Table 4.2 graphically illustrates the number of school districts falling into the categories clarified in this section.

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<sup>99</sup> To lessen confusion in the analytic component, city-wide demographic variables are utilized in place of school district demographics. Moreover, census estimates are not as complete at the school district level of analysis.

<sup>100</sup> Many districts had union agreements with the teachers, which are referenced in cases where there is no district wide policy on maternity leave. When both a district policy and union agreement are found, they were compared in order to ensure that the policies are similar. In many instances, the policies were similar, but when discrepancies were found, the more comprehensive of the two was chosen.

<sup>101</sup> References for policy quotations and excerpts from policies in this chapter are provided in Appendix A.



Just over half of the school districts (165 out of 315, 52.3%) simply follow the guidelines given by FMLA, providing little else in compensation. As is explained in more detail later, the policies considered to be more comprehensive than FMLA in this study must specifically mention newborn or child care. It is possible that in extenuating circumstances district supervisors might allow some mothers to take extended leave. Presumably not all mothers requesting extra leave for child birth will receive it if the policy does not guarantee such time off. A formal maternity policy cannot be dependent upon the whims of a supervisor or contingent on an employee's job record, it must be stated. In no case examined is FMLA *not* mentioned so school districts without formal policies are identified as following FMLA.

The least inclusive policy for a school district is the one that makes use of FMLA's provisos for employers. When couples work for the same district they may be required to share the twelve weeks of FMLA leave. The policy of the Dougherty County School District in Albany, GA, for example, reads as follows:

If both spouses work for the Board and both are eligible for FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to care for a newborn or adopted child, a child placed with the employee for foster care, or a parent with a serious health condition.

While allowed under FMLA, not all school districts mention the spousal exception in leave taking, especially not the ones that allow leave beyond the designated twelve weeks. An

exception to this can be found in the state of Washington. The policy of the Mount Vernon Schools District there, as per its collective bargaining agreement, states:

All employees (male and female) may be granted, at the District's discretion, up to one (1) year of unpaid leave for the purpose of child rearing a natural or adopted child. In the event that both parents of a natural or adopted child are employees of the District, they shall together be entitled to a total of one year of leave and leave shall be granted to only one parent at a time.<sup>102</sup>

Out of the 165 school districts reporting complete reliance on FMLA for their maternity leave policies, 80 (48.5 percent) limit the total amount of leave spouses can take to the twelve week minimum mandated by FMLA.

Another commonly found limitation on leave taking, permitted by FMLA, is one requiring teachers to take leave until the end of the school year. Typical of such policies is that for the Austin, Texas Independent School District, which reads:

When an instructional employee requests leave near the end of a semester, the District may impose the following restrictions on the timing of a return to duty: If the leave begins more than five weeks before the end of the semester, the District may require the employee to continue taking leave to the end of the semester if the leave will last at least three weeks and the return to employment would occur during the three-week period before the end of the semester.

Indeed, not one of the sixteen school districts examined in Texas provided anything beyond FMLA and they all limited FMLA usage by dictating how end-of-the semester leave should be taken. Overall, 15.2% (25/165) of the school districts relying on FMLA only were found to have this policy in place. Unlike the spousal exception, which was found primarily in districts relying only on FMLA, this policy was frequently found in the districts with the more comprehensive leave policies.

Many of the districts containing such a policy cited academic disruption as a reason for having an end of a semester leave policy. While many other schools mentioned no such concern, two were found that stated in their policy that teachers

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<sup>102</sup> Coding of this case did not prove to be problematic as it falls under the rubric of “one year or less unpaid family leave” regardless of whether one has a spouse who works for the district or if one does not.

cannot be forced to take leave near the end of a semester. The policy of the Ector County School District in Odessa, Texas states that teachers must be reinstated into their former position if they would like to return before the semester concludes.<sup>103</sup> Portland, Maine's union agreement states that a teacher "may continue in active employment as late into her pregnancy as she desires provided she is able to perform properly her required function."<sup>104</sup> An interesting avenue of research would be to delve into the specific value tenets of such a policy, particularly in the way that teachers interpret its efficacy. The school district in Wilmington, North Carolina provides for up to a year of unpaid leave, but its policy leaves little doubt as to the priorities of the district:

New Hanover County Schools' employees are encouraged to utilize available leave benefits options when necessary. However, employees should carefully consider the impact that their absence(s) will have on the overall instructional program and upon the achievement of students. Even the best substitute employee cannot provide the high level of service provided by the regular employee. Every employee absence diminishes the overall quality of the instructional program. In addition, unused accumulated sick leave and/or annual vacation leave can significantly enhance an employee's financial entitlements at retirement or upon separation from employment with the school district.

There are other important stipulations that can be placed on an employee's ability to take unpaid leave for any amount of time. Intermittent leave, for example, is not permitted in all school districts so leave must be taken in an uninterrupted block of time. Moreover, the type of self-accumulated paid leave an employee can use is sometimes limited by policy, as this example from the Oklahoma City Public Schools policy illustrates:

Employees who have been employed at least one year in this school district, may be provided up to 12 weeks of unpaid family leave. Before an employee is placed on unpaid family leave the employee must first exhaust any accumulated sick leave, personal business, and vacation leave. Such sick leave, personnel leave, and /or vacation time will be deducted from 12 work weeks of eligibility.

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<sup>103</sup> [http://www.tasb.org/policy/pol/private/068901/pol.cfm?DisplayPage=DEC\(LOCAL\).pdf](http://www.tasb.org/policy/pol/private/068901/pol.cfm?DisplayPage=DEC(LOCAL).pdf), last referenced July 3, 2008.

<sup>104</sup> <http://www.portlandschools.org/Pages/HR/PEAStuff07/PEA2007.pdf>, last referenced July 3, 2008.

The financial, emotional, and physical complications of childbirth arguably require some flexibility in work schedule and, at a minimum, the right to utilize one's own accumulated paid leave at a self-designated time.

Thirty-five percent of the school districts examined (111/315) allow from four (one month beyond the FMLA mandated leave) to twelve months of unpaid maternity leave. While seemingly a considerable gap among district policies in time granted, the assumption is that since it is unpaid, few employees will make use of the full amount. Nonetheless, future studies might want to examine leave time granted as an interval-level variable, especially when examining actual time taken by employees. The circumstances under which such leave may be granted also vary by district. Subsequent research will want to consider the length of tenure required before eligibility for long-term leave, whether or not fathers are included in such a policy, etc.<sup>105</sup> Noting that the policy exceeds FMLA, and that the extra time is available if desired, is sufficient for the purposes of this study.

Ten percent of school districts allow for more than a year of unpaid maternity leave (33/315). Again, there is significant variability in the length of time allowed. The Philadelphia school district, for example, allows up to four years of maternity leave. Again, only those policies that unambiguously guaranteed maternity leave for more than a year were coded as such. Simply allowing employees to request an extended leave of absence, but not specifying what reasons are appropriate, can result in arbitrary application of the granting of leave. An example of an unambiguous policy is found in the Pocatello, Idaho School District #25:

Teachers shall be granted a leave for child rearing purposes of up to two (2) years without pay or increment. This includes both adoption and birth.

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<sup>105</sup> These types of bureaucratic considerations are not important to this study because the primary concern is the scope of the actual leave time taken. Also, a comparison to police policy on this more nuanced level would have been a difficult, if not impossible, undertaking for lack of formalized policies among police departments.

In very few instances is a paid leave provided and in no district is a fully paid leave plan in effect. Santa Cruz, California, allows teachers some pay by subtracting the cost of a substitute teacher from their usual pay.<sup>106</sup> As explained further below, employee-contributed disability pay is not included as part of a district's maternity leave policy. Not all pregnancies result in what could be considered disability and not all pregnant mothers file, or are eligible, for disability. Moreover, it is assumed that disability leave is a common benefit in public agencies and can be taken for granted. California's 2002 Pregnancy Disability Act is unique in that it is a statewide guarantee of six weeks of partial paid leave (to those covered).<sup>107</sup> However, in five of the twenty California school districts examined,<sup>108</sup> teachers paid into the state disability fund. Other districts, however, are required by California state law to make some type of pregnancy disability pay available for employees who contribute to a disability program (see footnote 19).

When pregnancy is viewed as a disability it does not fall under the rubric of maternity leave since it requires a doctor's certification of the woman's physical incapacity to work. In many of the policies examined, disability due to pregnancy is an assumed portion of the total leave designated for maternity-related purposes but is not granted in addition. For example, the Columbia, Montana Public Schools policy requires the employee to take leave at specified points during the pregnancy, stating that:

medical certification shall only be required for any period of requested leave for such purpose occurring more than four (4) weeks prior to the expected due date, as determined by the employee's physician, or more than six (6) weeks after the birth of the child. If the employee

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<sup>106</sup> Essentially, female employees are required to utilize all of their available sick leave before going on differential pay (the difference between her daily rate and the daily rate of the substitute who replaces her). This information was obtained through personal communication with the Human Resources Department, January 9, 2007.

<sup>107</sup> It is California's Family and Medical Leave Act (CFMA) that may account for more of the comprehensiveness in policies in California school districts as it allows up to four months off and may be taken in addition to FMLA leave at the discretion of the employer. Moreover, if an employee does not qualify for pregnancy disability leave, the employer must nevertheless provide six weeks of pregnancy disability similar to other employees on temporary disability (<http://www.dol.gov/ESA/programs/whd/state/fmla/ca.htm>, last referenced July 3, 2008).

<sup>108</sup> Madera, Salinas, San Francisco, Santa Cruz, Santa Rosa, and Modesto.

qualifies for leave under the FMLA, the entire portion of the leave taken for pregnancy-related disability will count towards the employee's FMLA leave.

In other words, disability leave, if the employee has such coverage, is treated as accrued vacation or sick leave, running concurrently with FMLA.

The more inclusive policies that mention pregnancy as a disability treat it as a component of maternity leave where additional time taken off, whether it is for bonding with the child or emotional recovery, is permitted. The policy of the Charlotte County Public Schools District in Punta Gorda, Florida states that:

Maternity leave without pay may be taken by any employee who is physically disabled by reason of pregnancy. Employees on maternity leave are entitled to return to work when they are no longer physically disabled. At the request of a pregnant employee, maternity leave of up to a maximum period of one (1) year shall be granted without regard to disability. As with other physical disabilities, sick leave days may be used when a pregnant employee is physically disabled.

The coding of leave policies that mention disability, therefore, is not problematic as they tend to either only mention it as a condition that qualifies for sick leave or as an employee benefit that is limited by the total number of weeks provided by the district's maternity leave policy.

To reiterate, not all California school districts participate in the Social Disability Insurance Fund (SDI) which pays for the statewide mandated leave. The Los Angeles Unified School District is not unlike schools in other states where policy allows teachers to use their accumulated sick leave, identifying that time taken as pregnancy disability leave.<sup>109</sup> Prima facie, California appears more sensitive to the needs of pregnant employees but, upon closer inspection, the disability policies of other states may be just as generous. However, California's stated policy commitment to women in this regard may impact organizational policies by altering the social environment of gender issues and rights. It is possible that the policy of differential pay has been fostered by the state's more liberal context, as evidenced by the state's policy on maternity leave.

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<sup>109</sup> As per communication with Human Resources personnel April 24, 2008 and April 25, 2008.

Fresno's Unified School District policy limits the amount of unpaid leave employees can take, and requires spousal sharing of leave, but mentions that California's pregnancy disability leave might be available:

Leave taken pursuant to the California Family Rights Act shall run concurrently with leave taken pursuant to the federal Family and Medical Leave Act (FMLA), except for any leave taken under the FMLA for disability on account of pregnancy, childbirth, or related medical conditions. In addition to family care and medical leave, an employee may be entitled to take pregnancy disability leave of up to four months. During the otherwise unpaid portion of pregnancy disability leave, the employee may use any accrued vacation, sick time or other paid leave. If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a total of 12 weeks.

Future work may want to concentrate on the school district policies of California as this small sample indicates considerable variability in the application of state laws. Chapter 6 will further discuss the coding decisions made for California's school districts.

There is also great diversity within the more generous policies. Several unique policies involving pay are worthy of mention. The Bellingham, Washington school district grants two paid days to either parent for the purposes of newborn care. The Visalia Unified School District in California provides for one day of paid paternal leave. The Las Cruces, New Mexico school district allows fathers to take one week of unpaid leave, or accumulated sick leave, for the purpose of newborn care. Trenton, New Jersey goes even farther in providing rights for fathers:

Any female teacher shall, upon request, be granted a leave of absence without pay for maternity purposes or adoption of a child for a period of not more than two (2) years. Any male teacher shall, upon request, be granted a leave of absence without pay for paternity purposes or adoption of a child for a period of not more than two (2) years.

Suffice it to say, it seems that without a state policy guaranteeing some paid time off, paid leave policies are unlikely.

The discussion of policies thus far has been limited and future research will want to expand on how policies are identified and ranked. Many school districts place a duration on provisions for teachers desiring to take maternity leave. FMLA, of course, requires that the



employee must have worked at least one year to be eligible. Schools may have more stringent, or more liberal, requirements for teachers to qualify for such leave. Some schools differentiate between the types of pregnancy in their decisions to grant leave. The Philadelphia School District Policy, for example, reads as follows:

Upon delivery, parental leave is granted for a period of six weeks for normal delivery or eight-weeks for a cesarean section. The six-week period consists of 42 calendar days including the date of birth and the eight-week period consists of 56 calendar days including the date of birth. (Employees requesting 8 weeks must submit medical documentation confirming the type of delivery.)

School districts also differ by the amount of leave afforded to the father of a newborn. Such leave provisions arguably benefit the mother, and therefore such policies are more comprehensive than those that do not allow for paternity care. Adoption of newborns is sometimes treated differently across school districts. The Colorado Springs School District 11, for example, specifically mentions paternity leave as an option for male teachers adopting an infant.<sup>110</sup> In short, the comprehensiveness of maternity leave can be operationalized in a number of ways.

The fact that concrete, maternity-specific policies are present does not mean that they will completely serve the needs of the mother-employee. As will become clear in a review of the police officer survey responses, discretion on the part of the department can yield practices that accommodate the mother to be. Such practices can be simultaneously sensitive to her needs as a mother and as an employee. On the other hand, school districts overwhelmingly have bureaucratic mechanisms in place for the expectant mother.<sup>111</sup> Human resource personnel in school districts specialize in long term family leave and are accessible to employees. Women in police departments more often than not must contact their city's human resources department

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<sup>110</sup> Up to a year may be granted, by request, to a male teacher (<http://www.d11.org/boe/policies/gccac.htm>, last referenced July 3, 2008).

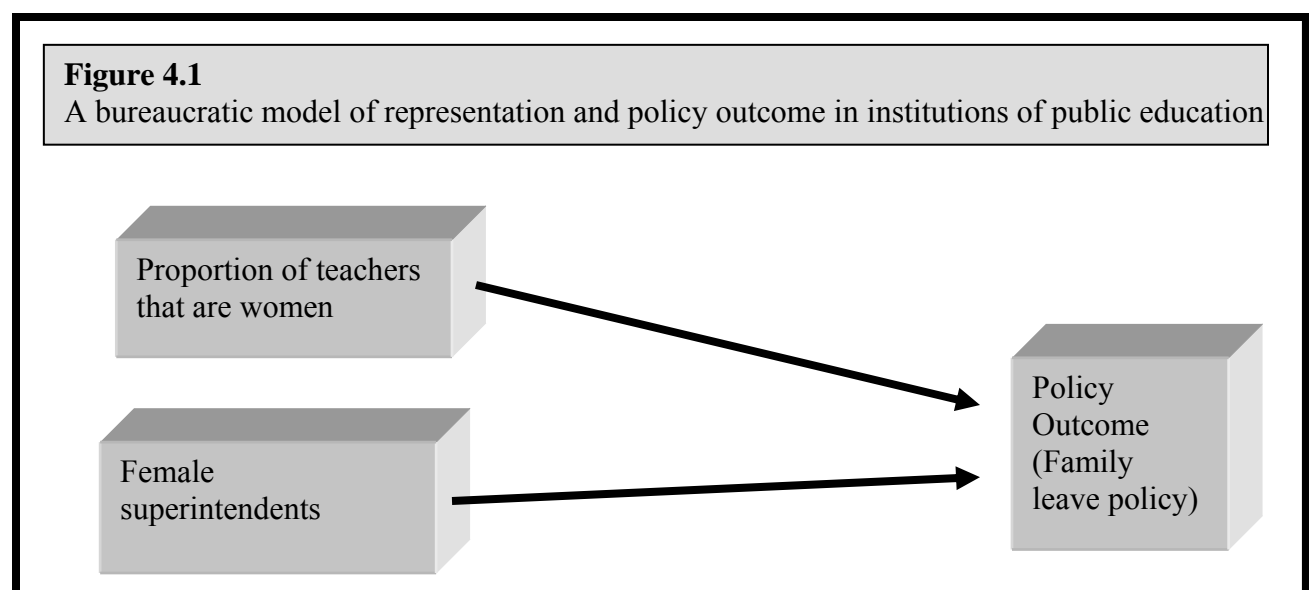
<sup>111</sup> The Everett, Washington school district, for example, provides maternity leave workshops. <http://www.everett.k12.wa.us/hr/Maternity%20Workshop>, last referenced June 22, 2008.

and then take leave that is tailored for city employees overall. From the excerpts of policies listed in Appendix A, school districts appear more vigilant than police departments when it comes to the needs of employees who are also mothers.

These policies could be coded a number of ways. The five category ordinal variable used in this study, based on the variations described above, is identified in Chapter 6. Policy comprehensiveness will be measured by the length of time allotted for a maternity leave and whether or not this is a paid leave. These two aspects of leave policy are the most important factors in leave policies today but future studies may include other nuances in leave policy for comparative purposes.

### *Hypotheses*

The model in Figure 4.1 illustrates the main relationships to be examined regarding the effects of bureaucratic representation on the maternity leave policies for teachers. Bureaucratic representation will be measured by the proportion of teachers that are women and by the gender of the school superintendent. The relationship between descriptive representation and family leave policy has already been described in Chapter 2 as is therefore not modeled below.



H<sub>5</sub>: As the proportion of teachers that is female increases, the comprehensiveness of family leave policy increases.

H<sub>6</sub>: If a female rather than a male is the superintendent, the comprehensiveness of family leave policy increases.

The above two hypotheses measure the effect of women working in school districts and their impact on women-friendly policies. This influence may differ based on women's occupational positions in school districts which may in turn influence priorities and the power to act on such priorities. Women school board members may not have the largest effect on policy, even though they are arguably in the most powerful position to do so. As previously noted, men on school boards may conform to a more female-centered orthodoxy thus dampening the effect that women school board members themselves might have on policy.

The gendered policies that are produced by an institution will reflect that institution's values. While family medical leave may not be equally salient to all women, particularly family leave related to pregnancy, it does target all women and thus could be deemed a women's issue. Thus, the degree to which an organization adopts and accommodates FMLA will be representative of that organization's values and views on women's rights. School board members and superintendents are affected by the community's values and priorities in the types of policies they adopt. On the other hand, they are also hypothesized to have an independent effect on maternity leave policy. Presumably, female representation in elected and administrative positions will positively affect the comprehensiveness of maternity leave policies. School boards, typically in charge of appointing superintendents, have an influence on personnel policy as they are responsible for setting the policy. Superintendents, however, implement it.

As discussed in the literature review, given the historical predominance of female teachers and overall recognition of maternity issues, schools may not be as female friendly as

expected. One way to assess this is to compare the policies of schools to another organization, as done here with police departments. Inter-school comparisons of gender progressiveness can also be made. The proportions of kindergarten, elementary, and secondary teachers that are women, will be included as independent variables in Chapter 6. Higher numbers of females teaching lower grade levels might be indicative of a school district's lower level of social liberalism. That is, school districts with much higher proportions of teachers that are female, particularly at the lower grade levels, might be more entrenched in traditional gender roles. More importantly, these districts might be less inclined to change the status quo not necessarily due to disinterest in new conceptualizations of women's issues, but perhaps out of a general unawareness of them.

### ***Conclusion***

The "women friendliness" of an institution should not be assumed principally on the basis of its disproportionate employment of women. Historical forces that have contributed to the framing of public schools as a women's domain are components of greater social forces that have shaped and defined every institution in the United States. Given the long tradition of patriarchy and oppression of women's rights, an institution that is as historically established in mainstream society as public education is, *prima facie*, questionable on feminist grounds. The diversity in leave policies revealed above warrants closer inspection. In a female dominated institution it is surprising to find policies that are as vastly divergent in accommodations provided for maternity. Besides providing an argument for an organization's culture, this chapter has added bureaucratic representation as a possible determinant of leave comprehensiveness. Ultimately, the institution itself is expected to have the most impact on the type of leave policies available to women.

By virtue of vastly different social purposes, some of the factors thought to influence school policy, both from within the organization itself and external variables in the community, may not be as relevant to policy outcomes in police departments. Even the decision to have a child might be affected by institutional culture.<sup>112</sup> The next chapter explores the notion that police departments are gendered largely in “masculine” values and attributes.

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<sup>112</sup> Teachers may have more leeway in “planning” their pregnancy as they are on a nine-month schedule. Thanks to Lois Wims for suggesting this point. An intriguing possibility for future research would be to compare not only rates of leave taking, but *when* the leave taking commences in different organizations.

## CHAPTER 5

### **Pregnant officers and the policies of police departments**

Investigated in this chapter is whether or not family leave coverage depends on the gendered context of a police department and the gender of the supervisors charged with leave administration. The law enforcement profession is viewed as masculine in character. The variables affecting family leave in school districts therefore are expected to have a different impact in the context of police departments. Individual police departments and school districts have considerable discretion in designing their policies. The more formalized a policy is, and of course the more generous it is, the more likely employees will take time off to care for a newborn. At present, California is the only state with a paid leave policy in operation though it is only available to those whose employers (public and private) participate. In 2009, Washington will become the second state to provide paid leave for birth and adoption.<sup>113</sup> However, few states require more than what is mandated by FMLA (Blades and Rowe-Finkbeiner, 2006) and it remains to be seen if local public agencies exceed their state's minimum mandate.

Unlike the public school system, police departments rarely have systemic plans in place for officers who become pregnant. Police officers, because they are part of city government, are ipso facto employees with the same rights as other city employees. However, city charters often charge the supervisors and heads of individual departments with the administration and design of their department's family leave policy, as long as it falls within the standards outlined by the city. Police departments usually do not tailor the city's policy to create one of their own and

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<sup>113</sup> In October of 2009, Washington will allow those who have worked for the public or private organization a minimum of 680 hours, five weeks of leave at 250 dollars per week for the adoption or birth of a child. Not all those employed in the private sector, however, are guaranteed job protection. Companies with 25 or less employees are not mandated to return employees to their previous position (<http://www.paidfamilyleave.org/otherstates.html>, last referenced July 3, 2008). Moreover, the funding for the program is as yet unclear, which may exempt employers who, like in California, do not participate in the program that allows employees to take paid leave time off ([http://www.eoionline.org/paid\\_family\\_leave/paid\\_family\\_leave\\_legislation.html](http://www.eoionline.org/paid_family_leave/paid_family_leave_legislation.html), last referenced July 3, 2008).

tend to treat pregnant officers on a case-by-case basis. As Appendix B illustrates, U.S. police departments by and large do not have maternity policies in place that address the distinct employment needs of pregnant law enforcement officers. Some of the challenges faced by women police officers will be discussed throughout this chapter.

This chapter will provide the theoretical foundation for the final model that contrasts police department policies to those of public schools. The institutional milieu is offered as a central explanatory variable for why police department policies and accommodations are expected to differ from that of school districts. As Chapter 4 points out, the gender composition of the workplace is expected to have a bearing on policy. As the proportion of females to males in the police department increases, leave policies are expected to become more comprehensive. Police department administrators cannot be accused of being unwilling to accommodate their female employees if their department has never had a pregnant officer. Without a strong federal policy aiding in the implementation process, police departments are alone in development of policy when confronted with what could be considered an employment anomaly, the pregnant police officer.

The first section provides a review of the literature that claims law enforcement should be viewed as a masculine profession that not only emphasizes “male” traits, but also overlooks the needs of female employees. Due to the fact that police officers and police administrators are likely to be male, the resulting policies are, not surprisingly, centered on male concerns. Discrepancies between different police departments in the handling of maternity leave can be attributed to three overlapping factors; the lack of a codified maternity leave plan, the lack of females in departments, and a police culture that views pregnancy as incompatible with the law enforcement profession. In a historical examination of U.S. police departments, King (2005)

writes, “While increasing the number of policewomen is an essential precursor to change, changing the culture of the police is also crucial if policewomen are to reach their full potential” (218). King mainly focused on equal rights legislation and its impact on employee opportunities for internal advancement, overlooking the possibility that the male culture remained intact. Women might have gained certain rights, but also internalized the masculinized norms of their departments.

This chapter will then explore California’s state leave policy in an effort to demonstrate that, despite the state’s seemingly more stringent requirements, California police departments are as divergent in their treatment of mothers as departments in other states. It might be expected that California’s more liberal state-wide policy would be consequential to both private and public agencies. This does not seem to be the case. As Fine (2006) points out, employers have to choose to participate in the state disability insurance program in order for employees to qualify for California-specific benefits. Still, California’s leave policy is examined separately in this chapter as the state, when inserted as a dummy variable, could amplify the impact of the policy for California police departments.

A composite statistical overview of the sampled police departments is then provided. The leave policies are categorized according to their level of compliance with FMLA, compliance with the city, and the level of accommodation provided in excess of FMLA. In order to gain a more detailed understanding of how maternity cases are handled in police departments, the results of the survey, sent to police departments in major U.S. cities, are examined.<sup>114</sup> Unlike research on school district policies, it was necessary to take a different approach for police departments, most of which, unlike school districts, did not have an official departmental policy

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<sup>114</sup> Chiefs of Police were asked to distribute the questionnaire to any pregnant or formerly pregnant officer who volunteered her assistance.



on maternity leave. The survey design provides an opportunity to combine quantitative and qualitative data. The respondents' individual experiences as mothers and as police officers contribute valuable and interesting insight into the status of women's rights and women's experience in an overtly masculine institution. Feminist academic writing rarely relinquishes the qualitative aspect of research in favor of rigorous quantitative analysis. It is hoped that the survey results are not viewed just as just a complement to the analytical work presented in Chapter 6, but as research worthy of separate evaluation.

### ***Women police officers***

Law enforcement officers play an important political role. People's most direct experiences with government power are usually contact with the police officer. As an "agent of regime legitimization," the police officer is arguably the most significant figure in shaping a person's earliest assessment of government and continues to be influential, particularly during the more formative periods in adult life (Rodgers and Taylor, 1971; Terris, 1967; Easton and Dennis, 1969). Women's presence in law enforcement demonstrates government's interest in representation of diverse populations in government institutions. Women in law enforcement could also be important in quelling prejudices concerning women in non-traditional gender roles. Most importantly, perhaps, women's representation in law enforcement sends the message that women are capable of the grave responsibility of protecting the community and upholding the principles and values of the social order.

As discussed in the previous chapter, it is an oversimplification to classify an institution by the binary female/male typology, relegating it to one category or the other. It is better to identify a spectrum of male and female characteristics, recognizing that institutions might entail combinations of these traits. The admission of women to uniformed positions in the police force

does not change the nature of the job. It is a highly masculine occupation, as many of its components have been associated with the male gender.

The under-representation of women in the police force has not gone unstudied. Political science literature on the topic has ranged from demonstrating the uniqueness of the women's experience in terms of the femininity they bestow upon the profession (Martin, 1999, Garcia 2003) to the impact of women in high ranking positions on agency policy (Fairchild, 1987). Ironically, the physically aggressive functions of law enforcement are heralded as "real police work," whereas the so-called feminine aspects, such as communication and conflict management, are more prevalent in the day-to-day activities of policing (Kruger 2006). Studies seem to show that exaggerated beliefs regarding the need for masculine job qualifications persist (Price, 1996). Price demonstrates that, realistically, police work involves more conciliatory than confrontational work, thus requiring a different set of skills than commonly believed. Kruger found that women police officers excel at the types of skills used most frequently in police work.

Still, given that law enforcement has traditionally been a male occupation, it is likely that women police officers, particularly in agencies with male leaders in top managerial positions, have absorbed the dominant norms (i.e. physical aggression versus verbal communication in highly charged conflict situations). Indeed, it could be that women in such organizations are less likely to want children and are reluctant to support comprehensive maternity policies that significantly diverge from the traditional leave policies of the department. Women in high-ranking positions might similarly be hesitant to go against the status quo, not wanting to jeopardize their professional reputations.

Santos (2004), studying the emergence of women police stations in Sao Paula, Brazil, compares police women and feminist groups, finding that policewomen are not necessarily

feminist. Moreover, Santos found that women in leadership positions do not always lobby for women's interests. These women-only police agencies were designed to address women's issues, particularly domestic violence, because women officers were believed to be more sensitive to the women in the community. However, like male officers, it was only after specialized training was instituted that women police officers were sensitive to domestic violence. A gendered organization provides an interpretation of social activity that is often accepted by the minority members who might identify more with the organization than their other group membership.

Although women police officers might have absorbed the norms of the department, their job-related actions could be found distinct from their male counterparts. For instance, Bazley, Lersch, Mieczkowski (2007) find that women are less likely than men to apply force. They speculate that this might be because women are more likely than men to adhere to the "use of force" protocol, which outlines the maximum level of force allowable given certain actions of physical aggression by the offender. Darien's (2002) historical examination of the New York City Police Department (NYPD) illustrates that in order for women to gain access to law enforcement, women's femininity was heralded as a positive contribution to the overly-male environment that had begun to lose respect in the population for supposedly overly aggressive tactics. Once access to the profession had been gained, women rejected claims of their difference, positive or not, and chose to prove that their abilities were congruent with the masculinized police value system. Pointing out the inherent difficulty for women in doing this, Darien (2002) writes, "Men were not 'performing a role.' Their job was a natural extension of their masculinity, whereas women had to 'train' to be something other than their biological destiny" (598). Motherhood is an inescapable, gender-specific experience for many women,

police officers or not. The manner in which these police officers adapt to the law enforcement culture has not, as of yet, been adequately studied.

In an examination of women-only and “integrated” police units in India, Natarajan (2001) finds that a traditionalist culture impacts how women view their role as police officers. In the United States women are more likely to support a fully integrated model of police work in which the masculinized attributes of police work are embraced by both male and female officers more or less equally. In India, women are less likely to view their roles as equal to those of men. However, India is moving towards a more integrationist model because women hired before 1994 were more likely to support women-only units than women hired after 1994 (Natarajan, 218). In my study of U.S. women police officers, some expressed dissatisfaction with their occupation’s effect on what could be considered their traditional motherhood duties.

### ***Motherhood and police work***

Some women who protect the public from harm also have the responsibility to protect and care for their children. Fulfilling both of these roles is difficult for women, especially if their workplace is unsupportive and/or significantly entrenched in traditional gender attitudes. Debatably, the socially attributed role as a protector of children could be congruent to the mission of law enforcement. As officers, they are charged with the protection of citizens and provision of civic instruction. Historically, these types of qualities have been used to support hiring women in law enforcement positions (e.g., Darien 2002). Still, women are under-represented, suggesting that the job is still viewed as one for men. Seklecki and Keller (2008) argue that environmental factors are primarily to blame, writing “Possibly the most significant external factor and the focus of this research is that women simply are not applying to the basic entry examinations in anywhere near the same representative percentages found in the

population” (2008, 11). They also point out that the compulsory patrol responsibility of police officers in their earlier years might disproportionately affect women with families. Further research should be conducted on the characteristic of the bureaucratic organization of police, and the delegation of authority that might result in gendered outcomes. Thus, the initial decision to refrain from law enforcement could be influenced by perceptions of the organization’s lack of friendliness towards women and families.

The National Center for Women and Policing (NCWP) reports that women make up approximately 11.2% of all sworn law enforcement personnel and an even lower percentage of higher management positions.<sup>115</sup> The percentage of women in sworn positions, meaning with arrest authority, in local law enforcement agencies appears to be on the decline.<sup>116</sup> The NCWP claims that consent decrees, which require the hiring and promoting of women and/or minorities, are expiring. This alone cannot explain the smaller proportion of women, according to the NCWP, because not all law enforcement agencies were issued consent decrees and they contributed to the original increase in the hiring of women. Without examining the reasons why women resign from their positions, we cannot conclude that the lack of decrees is the sole impetus for their declining representation in police departments.<sup>117</sup>

A Canadian study found that the most commonly cited reason for women leaving law enforcement was related to child care (Seagram and Stark-Adames, 1992). Unfortunately, in the United States no systematic in-depth study has examined why female law enforcement officers

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<sup>115</sup> The National Center for Women and Policing (NCWP), *Status of Women in Policing Survey*, also reports that in 1997, 97.4% of small/rural police departments examined did not have a woman in a top command position ([http://www.womenandpolicing.org/PDF/2002\\_Status\\_Report.pdf](http://www.womenandpolicing.org/PDF/2002_Status_Report.pdf), last referenced July 3, 2008).

<sup>116</sup> The NCWP reports that in 1999, 14.3% of police officers in large agencies (100 or more sworn officers) were women versus 13.0% in 2000 and 12.7% in 2001 ([http://www.womenandpolicing.org/PDF/2002\\_Status\\_Report.pdf](http://www.womenandpolicing.org/PDF/2002_Status_Report.pdf), last referenced July 3, 2008).

<sup>117</sup> In the NCWP report, 40 out of 247 surveyed departments reported having had a consent decree issued whereas only 22 reported having one still in effect. A longitudinal study would be helpful in determining if women were quitting after some time on the job due to the birth of a child.

quit, the circumstances of their departure, nor how political factors external to the agency could influence their departure. The political implications of having women in law enforcement have not been studied. For that matter, there are no political campaigns extolling the positive contributions of women in the workplace who are also mothers and lobbying for policies that will support their roles as mothers. A political campaign launched on providing pregnant police officers more benefits is unlikely.

Examining the historical experience of women in law enforcement, Garcia (2003) argues that women police officers continue to face discrimination within departments and from the community. This is due to a widely held belief that women do not possess the requisite traits for effective service in law enforcement. Stereotypes stem partially from a woman's childbearing capability and, perhaps more importantly in the case of law enforcement, a woman's childbearing propensity. The child is symbolic of women's role in society and it is thought to take precedence over other concerns, such as employment, in the economic sector. Fathers, on the contrary, are not seen as threatening to workplace production as they are not expected to contribute as much at home. Women are especially disadvantaged in law enforcement versus women in other professions as there is often less flexibility in work hour requirements (see, Seklecki and Keller).

Precisely because of this perceived incongruity of motherhood and law enforcement, women might struggle with internal conflict for having children. Conway, Ahern, Steuernagel (1999) explains "mother's guilt" as feelings of child abandonment and neglect that many women experience after returning to work after childbirth. In law enforcement, women are perhaps even more prone to such emotional strain in that their job as a police officer is often unpredictable, requiring more time away from the family. Periodic absences from the home are more or less

expected from working fathers, but not from mothers. So in addition to the personal guilt mothers might be dealing with, they might face external guilt stemming from societal pressures to conform to familial gender roles.

Women might be alienated by policies that treat their pregnancy as a condition that warrants departmental intervention into their most basic of job-related routines, like choice in attire. Some officers performing public relations functions, such as Drug Abuse Resistance Education (DARE), must refrain from wearing their uniform while pregnant.<sup>118</sup> The policy of the Concord, California police department clearly states that women DARE instructors must discontinue wearing their uniform three months into their pregnancy.<sup>119</sup> Indeed, after being pregnant for three months, all women officers of the Concord police department are prohibited from working in a “uniformed capacity”. The policy does not discuss the availability of a maternity leave uniform. New York City Police department offers all women police officers the choice of whether or not they would like to wear a departmentally provided maternity uniform. While the Minneapolis, Minnesota police department also provides a maternity uniform, a rarity among United States police departments, their policy eliminates any officer discretion by forcing her to wear it if she is in a position of public visibility.

Women police officers are probably aware of the difficulties they face in taking a job unconventional for their gender. Therefore, women in police departments might feel compelled to return to their jobs more quickly than women in other professions. This could be due to a stronger desire to prove themselves worthy as officers and to dispel negative beliefs about

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<sup>118</sup> In 2001, the New York Civil Liberties Union took on a case in Southold, NY where a female officer had to relinquish her position as a DARE instructor due to pregnancy. The case became a class action lawsuit, and in 2006, a federal jury in *Lochren v. County of Suffolk* (E.D. N.Y. Index No. 01 Civ. 3925) found that women officers were discriminated against by making them take unwanted leave and by failing to provide accommodations such as desk duty (<http://www.aclu.org/womensrights/employ/25904prs20060614.html>, last referenced July 3, 2008). Based on the survey responses and research conducted in this study, the nationwide repercussions of this case have not been substantial.

<sup>119</sup> [http://www.californiapolicechiefs.org/nav\\_files/research/pdfs\\_pers/pregnancy.pdf](http://www.californiapolicechiefs.org/nav_files/research/pdfs_pers/pregnancy.pdf), last referenced July 3, 2008.

mothers being a liability to the department, financial or otherwise. Direct evidence of this was not found in the survey conducted for this study, although many women reported only the most minimal of leave taking.

Beyond any personal motivations to return to police work quickly, there are institutional factors encouraging women to return sooner than women in other professions. Women are compelled to come back to work because they might have exhausted their accumulated leave time (sick, vacation, disability, etc.) or simply do not want to use up time they might need later. Emily's experience with the Rapid City, South Dakota police department is unfortunately not atypical of the survey responses received.<sup>120</sup> In response to the question regarding her leave options she wrote the following:

At six weeks of leave, I was not physically, mentally or emotionally ready to go back to work. I was extremely sleep deprived and I was breast feeding. My position at the time [was] a school liaison officer at a Middle School. I felt going back to work at six weeks would have not been safe to perform my duties and protect over 1000 kids if I [got] into a dangerous situation. I believe it would be a liability on the city's part.

Like many of the women police officers surveyed, she expressed a strong desire to return to work as soon as possible, but found that pregnancy complications made such a timely return difficult. Because she had no paid leave remaining, she was forced to return sooner than she felt was appropriate.

### ***California—a state apart?***

While California certainly has the most progressive leave policy in the United States, California's law continues to define motherhood as a disability and does not provide for fully paid compensation.<sup>121</sup> Commendable, however, is the law's stated emphasis on "bonding" with

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<sup>120</sup> In some cases, the name "Emily" substitutes for the name of any officer wishing to remain anonymous.

<sup>121</sup> The provision is an amendment to Section 984 of California's unemployment insurance code. The maximum of six paid weeks is taken directly from the state disability fund. In other words, a parental figure must be a participant



the child, a value expressed in some of the school district policies examined. California's legislature has deemed it in the state's, and therefore the employer's, interest to assist parents in fostering a relationship with a newborn child. Prima facie, California's political context appears to be more supportive of mothers' rights, and arguably mothers' social importance, than other states. As Chapter 4 verified, not all public employees are eligible for the State Disability Insurance (SDI) program, meaning they may not be able to file for the extra leave provided by the program for maternity purposes. Applebaum and Milkman (2004), in an evaluation of the state's paid family leave program, find that leave taking is, like FMLA, contingent upon an employee's awareness of the law. Other factors, like company size, seem to affect the comprehensiveness of individual level policies more than the law itself. As will become evident from the results of the survey conducted for this study, the employing agency is largely responsible, in all states, for the level of policy comprehension and resulting leave taking behavior.

The California Police Chiefs Association is tasked with resolving organizational problems and providing training for local law enforcement in California. It provides a forum for Chiefs of Police to exchange information regarding organizational and related police questions. The La Palma police department posed the following question:

I have a pregnant patrol officer whose personal physician restricted her to light duty immediately upon discovery, during the term of her pregnancy. We are a small agency with no light duty assignments of that duration. Reassigning her to Detectives is not an option nor do I have any other assignments where I could place her that would not involve an enforcement role of some sort. She does not have enough sick and vacation time to use, and she really doesn't want to be placed on unpaid leave. I'm curious as to what other agencies, particularly those [with] under 40 sworn [officers] have done in similar circumstances.<sup>122</sup>

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of the Social Disability Insurance program (SDI). As for the dollar amount, it is six times the weekly benefit amount contributed by the employer. This amounts to a little more than half of an employee's pay.

<sup>122</sup> [http://www.californiapolicechiefs.org/nav\\_files/research/pdfs\\_pers/pregnancy.pdf](http://www.californiapolicechiefs.org/nav_files/research/pdfs_pers/pregnancy.pdf), last referenced July 3, 2008.

The responses posted by other chiefs varied considerably in their policy recommendations and stated practices. Suggestions ranged from contacting the City Attorney to reassigning the officer to another department within city government. Overall, however, most of the responding departments seemed willing to accommodate their female employees and reported attempts at constructing maternity-related leave through the use of an employee's own sick and vacation leave. Additionally, many of the departments engaged in creative assignments, such as one department reporting that their first pregnant officer was assigned to write their pregnancy policy while on leave. None of the departments responding mentioned participation in SDI, except for the Concord Police Department.

The Concord department offered their pregnancy policy as a possible model La Palma could emulate, illustrating that even among local law enforcement agencies within one state, no cohesive family leave guideline exists. Concord's policy is a self-described supplement to the citywide family and medical leave policy. Upon review of the policy, however, the bulk of it concerns women's status within the department during the pregnancy.<sup>123</sup> For example, women police officers are prohibited from working in a uniformed capacity after being pregnant for three months. Concord's reinstatement plan is unclear as to when an officer is required to return to work as it only states that she must return when she is "no longer disabled and has been medically cleared to return to full-time status." The officer's preference in when she would like to return to work, or work in a uniformed position after three months of pregnancy, appears to be irrelevant. An officer's previous uniformed position in the department is not protected after her FMLA time expires.

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<sup>123</sup> [http://www.californiapolicechiefs.org/nav\\_files/research/pdfs\\_pers/pregnancy.pdf](http://www.californiapolicechiefs.org/nav_files/research/pdfs_pers/pregnancy.pdf), last referenced July 3, 2008.

If an officer is “medically disabled” due to a pregnancy, she may qualify for FMLA as long as she has worked for at least a year. She may also qualify under the California Pregnancy Disability Act, so long as the department participates, which Concord does not. The Concord Police Officers Association Memoranda of Understanding lists family and medical leave as a state and national policy which allows 12 weeks (unpaid) off. If the employee becomes ill because of a pregnancy, sick time, vacation time, and any other authorized leave without pay could be utilized if the doctor deems the time off medically necessary.<sup>124</sup> Once this type of leave has been exhausted, it is up to the supervisor to extend time off. This illustrates how the discretionary component in granting maternity leave in police departments might negatively affect women employees, even when there is a formal policy in place.

Eight women in the Sacramento, California police department responded to the survey sent to police departments. Even though their department was one of the few in which a comprehensive maternity leave policy was in place (see Appendix B), their experiences varied according to their needs and each of them reported receiving little to no departmental or city policy information regarding their maternity leave. One received administrative duty and took very little time off, whereas another took four months of leave which was the longest time off. The other six took, on average, about a month off. The women from this department also mention some of the same issues as have women in other departments. One officer wrote,

One of my biggest concerns was with time off. I was given 1 month of leave from the city. I had an emergency c-section and was technically not eligible for full duty from my doctor for 6 weeks. I had to use my vacation, holiday and sick time in order to get 3 months off. I came back after 3 months and thankfully went into a special assignment.

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<sup>124</sup> <http://www.ci.concord.ca.us/hr/capemou.pdf>, last referenced July 3, 2008.

California police departments, like California school districts, may or may not participate in SDI. Like police departments in other states, California police departments might make a disability program available for employees but in order to withdraw self-contributed pay, the department must participate.

In short, even the most progressive state in terms of family medical leave has public agencies that are no more comprehensive in policy than those in other states. Fine (2006) challenges the celebratory attitude of those who consider California's 2002 law feminist. She points out that it allows employers to mandate that "covered" employees must first use their vacation time, and the act does not guarantee that the employee can reclaim her previous position in the company.<sup>125</sup> In studying family leave in police departments then, like schools, state policy is assumed to have a negligible impact on leave comprehensiveness.

### ***Women's representation in police departments***

The dataset utilized for the purpose of analyzing leave policy is based on 203 police departments. The policy for each of these departments has been verified. Most police departments, it was discovered, lack their own policies and simply rely on their city's policy. In a few cases, police departments simply did not post an existing policy, but one was discovered through the follow-up contact. These policies diverged only slightly from those of the respective city, but their very existence is noteworthy in light of the dearth in police department maternity leave policies. For departments with leave policies that could not be located, the city's leave policy was identified through correspondence with the department. This final dataset is derived from the 370 largest cities in the United States, as identified by the 2000 Census (as were the largest school districts for those cities). Whether the remaining 167 police departments also rely

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<sup>125</sup> According to state policy, employers cannot force employees to take more than two weeks of their own vacation time and employees may be covered by the state and/or federal family leave acts that do indeed provide job protection (<http://www.edd.ca.gov/direp/pflfaq2.asp>, last referenced May 8, 2008).

only on city policy is not certain because these departments did not respond to requests for information. They therefore are omitted from the analysis. Appendix B provides a listing of the sources of information and policy excerpts subsequently used for coding.

Out of the 203 police departments in the sample, 15 (7.3 percent) are headed by female Chiefs of Police indicating that women are still largely underrepresented at this level. The National Center for Women in Policing (NCWP) reports that, as of 2001, women comprised 7.3 percent of those in top command positions, Chiefs, Deputy/Assistant Chiefs, Commanders/Majors, and Captains, in large police departments.<sup>126</sup> Therefore, the 7.3 percent figure for Chiefs in this study suggests that women's representation in top command positions might have improved since 2001. On average, women constitute 11.0 percent of police officers in the police departments in this study.<sup>127</sup> This is similar to the finding in the NCWP sample that women constituted 11.2 percent of law enforcement officers in large departments.<sup>128</sup>

To determine whether descriptive representation has an effect on bureaucratic representation, a log linear regression is run for the predictors of police chief gender and a standard linear regression is run for the predictors of women police officers. Neither regression was statistically significant. When the gender of the Chief is the dependent variable, the odds ratios and significance levels are 1.07 ( $p=.231$ ) and 2.02 ( $p=.319$ ) for police women and council women, respectively. Calculating the percentage of police officers that are women as the dependent variable yields an unstandardized regression coefficient of .006 ( $p=.782$ ) for the percentage of city council members that are women. As with school districts, the impact of women's representation is expected to be strongest on policy when it is one that is predominantly

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<sup>126</sup> They do not, however, report separate data on Chiefs of Police.  
([http://www.womenandpolicing.org/PDF/2002\\_Status\\_Report.pdf](http://www.womenandpolicing.org/PDF/2002_Status_Report.pdf), last referenced July 3, 2008).

<sup>127</sup> Unfortunately, statistics on women in police departments is limited leaving a total  $n=130$ .  
(<http://bjsdata.ojp.usdoj.gov/dataonline/Search/Law/Law.cfm>, July 3, 2008).

<sup>128</sup> [http://www.womenandpolicing.org/PDF/2002\\_Status\\_Report.pdf](http://www.womenandpolicing.org/PDF/2002_Status_Report.pdf), last referenced July 3, 2008.

relevant to women. Subsequent analyses will examine whether the presence of a female Chief of Police is likely to relate positively to women friendly leave policies. The initial hiring of police officers might not be affected by the Chief of Police or city council but they may affect personnel policies that impact women employees.

### ***The leave policies of police departments***

Police department leave policies, much like school district policies, range from including FMLA with the spousal sharing provision to providing some type of partially paid leave. Unlike school districts, not all police departments have a department-specific policy dealing with maternity leave, so the city's policy governs. The least inclusive policy is the one that relies solely on a city policy that, in turn, relies solely on FMLA *and* requires that the combined leave for married employees be twelve weeks.<sup>129</sup> It is possible, then, that a woman only receives eight weeks of leave if her husband, for example, takes four.<sup>130</sup> Future studies might consider examining whether or not such policies exist due to high rates of married city employees.

As will be seen in the review of the survey responses, this type of policy is particularly problematic for women police officers, especially those of whom that are married to police officers. Twenty-three percent (47/203) of the sampled police departments rely on a policy that requires couples to share leave for maternity related purposes. The policy of Nashville, Tennessee is particularly explicit:

Eligibility for a husband and wife both employed by Metro [The Nashville-Davidson County government], even in different departments, is aggregate (i.e., not 12 weeks each), for time taken for childbirth, placement, or the care for an employee's parent, but not for other reasons.

Fifty-eight percent (117/203) of the police departments rely on a city policy that follows FMLA, but does not state a provision for spousal sharing. Clearly, the majority of cities have

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<sup>129</sup> This is similar to school districts that also only rely on FMLA, but include the spousal sharing provision.

<sup>130</sup> A more inclusive city policy is one that exceeds FMLA requirements, which is accounted for in the coding of leave policies.

relied completely on federal policy for providing policy standards on family and medical leave. Only 3.0 percent (7/203) of city policies provide for additional time off for all city employees. The excerpt provided below, from Sioux City, Iowa, is an exemplar of such a policy. At the same time this policy illustrates the meaning and usage of “disability leave” in city policies, similar to what is observed in many school district policies. That is, leave taken for purposes of child birth is viewed solely as a physical issue, not a family or otherwise socially significant event:

- a. Maternity leave shall be granted if requested by the employee. Any temporary disabilities caused or contributed to by pregnancy and/or childbirth shall be considered a personal illness and all regular sick leave benefits, rules and regulations shall apply the same as any other illness.
- b. Extended Maternity Leave Without Pay: A leave of absence beyond the time of medical confinement for pregnancy and childbirth may be granted without salary or sick leave benefits for a period not to exceed one year. If an extended leave of absence is anticipated, a request for a leave shall be filed with the Human Resources Director reasonably in advance of the anticipated absence.

Women police officers might be unable to take the full amount of leave for financial reasons. Internal and external pressures could encourage women to return to work as quickly as possible. As will be made clearer in a review of the survey responses, many of the officers stated that they wanted to continue working because they could not afford to take unpaid leave. An officer out of the Green Bay, Wisconsin police department writes:

I was given a light duty assignment. It was nice because I was still able to work and not have to take time off while pregnant. I was still doing police work but from behind a desk. I was very appreciative to still be able to work up until the due date.<sup>131</sup>

Police departments are dependent on the ability of their employees to work flexible schedules. A city policy granting unpaid leave in excess of FMLA might not necessarily result in more generous granting of leave time for officers because their presence is crucial to police operations.

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<sup>131</sup> Response from the survey of women police officers described in the next section.

Only 11.0 percent of the sampled police departments were found with a distinct leave policy detailing administrative procedure should an officer become pregnant. Specifically, 5.4 percent (11/203) of the police departments provide a policy that mentions FMLA and departmental provision of some type of limited duty assignment. Such an assignment is integral to a woman's ability to keep working during her pregnancy because of the occupational hazards faced in a standard, uniformed capacity. These policies ranged widely in the amount of detail given to maternity leave. The Salem, Oregon police department policy simply states:

At the employee's request, during her pregnancy and/or post partum recovery, the Police Chief may, in his/her discretion, assign the employee to temporary duties of a less strenuous or demanding nature, or part-time work within the department.

This policy suggests that women in the same organization might encounter dissimilar accommodations, but the policy exceeds the majority of policies examined by the simple fact that it officially recognizes that women police officers might become pregnant. Unfortunately, finding work that both the department and the officer find meaningful and useful might be difficult in departments lacking the appropriate bureaucratic mechanisms supporting the woman's transfer to an alternative position.

Of those departments with separate leave policies, 2.5 percent (5/203) mentioned additional time off, in excess of FMLA, as a possibility. Again, women might not take advantage of this extra time as it could interfere with departmental operations and because it is unpaid. Finally, 3.0 percent (6/203) of police departments have their own policy in place that also expresses the availability of paid leave expressly for maternity purposes. Not surprisingly, three of these departments are located in California (Chico, San Diego, and Sacramento). New York City has gone beyond any state mandate by providing some paid leave time. The New York City police department provides up to one year of unpaid child care, up to eight weeks of paid leave (designated as "unlimited sick leave"), and provides an optional maternity uniform.



For the most part, though, the most comprehensive of police department policies cannot rival some of the school districts examined that allow differential pay.<sup>132</sup> For obvious reasons, police officers cannot simply find a substitute during their absence.

One of the overriding distinguishing characteristics between school districts and police departments is the information made available to newly pregnant employees. If women are alerted of their rights under FMLA, however minimal, a push for codified policies that clearly outline additional options could be expected. To supplement the data collected for this research, and to gain some additional insight on how maternity cases are treated in police departments, a survey of women police officers who have been pregnant while on the job was sent to departments in the sampled cities. This constitutes only the second nation-wide survey of female police officers ever conducted.<sup>133</sup>

#### ***A survey of women police officers***

This section will provide a detailed summary of the written responses obtained from female police officers. Before the survey findings are presented, an overview of the survey method is provided. This will entail a discussion of the sampling procedure and the survey questions. The questions were designed to provide information on how departments handle pregnancies among officers, while simultaneously assessing the gendered context of the police department.

For each city, the corresponding police department was contacted for information regarding the departmental policy on maternity leave. Police departments were contacted by emailing a cover letter and a copy of the survey to Chiefs of Police or, when that was not possible, to an official representative within the department (see Appendix C for a copy of the

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<sup>132</sup> Differential pay being the cost of the substitute minus the teacher's pay (see Chapter 4).

<sup>133</sup> In 2003, Seklecki, Spelchen, Carr (2005) conducted the first of such surveys. Their research focus centered on the job-related perceptual differences between rural and urban women police officers.

survey instrument). In addition to the request for information, the email asked if the survey could be distributed, on a volunteer basis, to pregnant, or formerly pregnant, police officers. In most cases, the women respondents simply returned a copy of the completed survey by email.<sup>134</sup>

Forty police departments from 20 states are represented yielding a total of 73 respondents.<sup>135</sup> The obtained response was 10.8 percent, but arguably it underestimates the *relevant* response rate. Many of the departments contacted reported that they had never employed, nor did at that time, a pregnant police officer. So while many departments expressed a strong desire to assist, they could not. This was particularly startling as the police departments surveyed are among the largest departments in the country.

The survey consists of four open-ended questions.<sup>136</sup> Four dimensions of a department's gendered context are addressed by the survey questions and are as follows:

1. Awareness: "Before your pregnancy, were you aware of your department's maternity leave policy? If so, what was your understanding of this policy?"
2. Information: "Upon officially reporting your desire to take leave to your supervisor, what information was given to you concerning your leave options?"
3. Accommodation: "What types of accommodations (and/or leave) were made on behalf of your department for the time of your pregnancy?"
4. Improvement: "Do you feel that the current leave policy could be improved? If so, how?"

Questions 1 and 2 measure the employee's cognitive understanding of a department's provision of maternity leave. The first two questions also indirectly assess the progressiveness of a department by examining the knowledge these women possess regarding their department's leave policy. Departments that make their policy readily available are expected to be more

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<sup>134</sup> In one case a phone interview was conducted with an officer in the Las Cruces, New Mexico police department.

<sup>135</sup> Alabama, Arizona, California, Florida, Idaho, Illinois, Iowa, Kansas, Maine, Massachusetts, Minnesota, Nevada, New Mexico, New York, North Carolina, Oregon, South Dakota, Tennessee, Texas, and Wisconsin.

<sup>136</sup> Respondents were also asked to report the length of service to their respective police departments. The responses ranged from two to twenty-three years of service with a mean of about ten years.

understanding of their female employees' needs than departments that do not do so. Furnishing leave policy information indicates departmental acceptance of pregnancy as a life circumstance employees may face that is worthy of departmental treatment that legitimizes the situation. This measure is indirect because this study does not have observations of what police departments actually do, but as Baird and Reynolds (2004) argue, an organization's commitment to gender equality will be reflected in the employee's awareness of leave policies (see Chapter 1).

The employee's unawareness of the policy might be a reflection of an employee's disinterest in the policy prior to the pregnancy. Nevertheless, when two or more women from the same department replied, similar answers were given in response to these two questions, suggesting that factors external to the individual are responsible for the level of awareness and information provided to pregnant officers. While no comparative survey was conducted for school teachers, it is clear that school districts support information dissemination for pregnant employees more than police departments. Internet research demonstrated the relative ease of acquiring leave-related information for teachers, but not for police officers.

The level of departmental empathy for maternity-related concerns is measured by Question 3: What types of accommodations were made on [the employee's] behalf [for the pregnancy]? Interestingly, this question did not elicit identical responses from employees within the same department. This lack of uniformity provides some evidence that maternity leave policies in police departments are somewhat nebulous in construction, and perhaps arbitrary in application. The question is also the most important component of the survey because it is the most direct measure of how police departments handle pregnancies. Unlike the first two questions, Question 3 necessitated a more concrete response, less influenced by perception and more by actual experience.

Question 4 offers information regarding the respondent's perceived needs and feminist orientation (on the presumption that a demand for paid maternity leave is notably a feminist concern). While paid maternity leave has not ascended to the rank of a social right in the United States, it is interesting to note that many of the respondents were strongly in favor of paid leave. Women law enforcement officers are frequently perceived to have adopted many of the traditional norms of this masculine institution, including a liberal work ethic that is also embedded in the larger, governmental institution. When it comes to motherhood, it may be the case that women officers do in fact diverge attitudinally from their male counterparts. Of course, a survey given to fathers in police departments might demonstrate responses similar to those of women.

The following will examine the responses to each open-ended question in more detail, providing statistics derived from the responses. Lastly, there will be a discussion of the implications of these results. By and large, it was found that when accommodations were made, they exceeded the city's guidelines. As the survey responses seem to convey, city policies, which tend to rely on FMLA only, are token affirmations of gender equality at best. Police departments appear to receive little guidance from their city governments when it comes to dealing with the needs of their pregnant employees.

### ***Question 1: awareness***

Not surprisingly, many women were not aware that their department had any sort of maternity leave policy in place. Eighteen women (24.7 percent) reported that they were "somewhat aware" and 25 (34.2 percent) reported that they were not aware at all. In answer to Question 1, one officer from a police department in Iowa writes:

No, I did not know the city or department policy and only by fault of my own. I did not look into it because I was so dang happy to just get a job [that] the last

thing on my mind was the maternity leave. No one from the city or department thought it was important enough, even though I was a young woman, to tell me about it.

In most cases, the department directed the female officer to contact that city's Human Resource Department for information regarding FMLA. After this was done, it seems that departments adapt to their employees' needs on a case-by-case basis. Laura, from the Rocky Mount, North Carolina police department was the first pregnant officer in her department's history and trained her supervisor on FMLA-related guidelines. However, she reported that FMLA leave was not effective given her situation and reported taking twelve months leave because her department allowed her to do so.

Many women reported that they did not anticipate being pregnant on the job and reporting that knowledge of FMLA's tenets was irrelevant to them upon entering law enforcement. Twenty-three women (31.5 percent) reported having had at least a working knowledge of FMLA, or a combination of FMLA and department-specific policy, before their pregnancy. Seven women (9.5 percent) reported that they were made aware of the policy by speaking with co-workers who had been pregnant. Women recruits understand that being a police officer is physically demanding and time consuming. From the responses given, women do not appear to join police departments for their policies on family medical leave.

Police departments are not known for recruiting women on the basis of a comprehensive maternity leave policy. The majority of departmental websites examined in this study prominently display the benefits of working for the police department, but most do not list maternity leave as one of them. Of the original 370 departments examined, only 12 (3.2 percent)

made their department's family leave policy accessible on their website.<sup>137</sup> The benefits posted on recruitment pages typically included mention of retirement, sick leave, and vacation time, but not family leave. In this respect, U.S. police departments do not appear particularly women-friendly.<sup>138</sup> They tend to treat motherhood as a unique circumstance rather than a plausible condition for their women police officers. Similarly, patriarchal notions of family and fatherhood are reinforced as well because paternity leave also goes unmentioned on website recruitment pages. As with women, if men want to take paid time off for newborn care, they will have to use their own accrued time.

### ***Question 2: information***

When questioned as to the type of information provided upon the announcement of a pregnancy, the responses varied considerably. Sixteen women (21.9 percent) claimed “none” and three (4.1 percent) had to locate policy information by questioning other females in the department. Nineteen (26.0 percent) took the initiative to contact their city's human resources department, foregoing any interdepartmental procedure. In one case, FMLA leave was actually denied by the city. An officer out of the Jacksonville, Florida department wrote in response:

HR initially denied my 12 weeks of FMLA unless I medically needed it, until I contacted an FOP attorney. (obviously it is federal law and cannot be denied.) I then was advised if I didn't have enough leave, my husband (also an officer) could not donate leave (this is incorrect – any officer can donate.) Eventually everything worked out but [it] was very frustrating.<sup>139</sup>

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<sup>137</sup> Albuquerque, NM; Cedar Rapids IA; Columbus, OH; Duluth, MN; Eugene, OR; Lawrence, KS; Louisville, KY; Pueblo, CO; Rochester, MN; San Jose, CA; Stockton, CA; Unidentified city (responder wishes to remain anonymous), Missouri.

<sup>138</sup> Of the city police departments examined, twelve were found to specifically mention the virtue of having women in law enforcement (whether it is to recruit women or to acknowledge the women of those departments). The following cities had such police department websites: Boston, MA; Cambridge, MA; Buffalo, NY; Burlington, NC; Chattanooga, TN; Denver, CO; El Paso, TX; Honolulu, HI; Mobile, AL; Orlando, FL; Sacramento, CA; Stockton, CA. Due to the size and number of departmental websites reviewed, and time constrictions, it is possible that a department displaying information on the benefits of having women in policing was overlooked. The aforementioned departments clearly stood apart from the others examined in that their women-friendly statements were prominently displayed.

<sup>139</sup> A couple of departments did indeed deny the use of the sick bank leave for maternity-related reasons.

Thirty women (41.1 percent) reported having received paperwork regarding FMLA leave. Nine women (12.3 percent), representing nine different departments from eight states, faced immediate reassignments that accommodated them in their pregnancy. For most of the women, accommodation came later into the pregnancy. In general, the level of information provided women was low, if not non-existent.

### ***Question 3: accommodation***

While the accommodations made by departments were similar in some respects (37 women, 50.7 percent, reportedly received “light duty” reassignment), the experiences and working conditions of the individual officers were wide-ranging. Regina, from the Gadsden, Alabama police department, one of the 18 (24.7 percent) who reported receiving “administrative duty”, was moved to the desk much later than she would have preferred. Moreover, she was exposed to a potentially harmful experience for her and her unborn child. Regina writes,

Early in my pregnancy, I attended in-service training. We were going over and practicing a pressure points and control tactics. The instructor was my regular beat partner and he was aware of my pregnancy even though I had not officially notified the department. During class, he called me and a male officer up for a demonstration. He had the male officer perform a brachial plexus stunning technique, which is a forearm to the side of the neck. The officer did the technique at about 30% force. The instructor made him do it again with more force- so much so that for a second I blacked out, knees buckling. I did not fall to the ground, but I always felt that was inappropriate and dangerous. I did not report [the] incident. The other thing that annoyed me was I stayed on the street in patrol until I was three months pregnant. At that time I asked to come out to a desk job. The commander who received my request waited over a week to act on it.

On the other hand, many women reporting “light duty” reassignment expressed satisfaction with their treatment. This satisfaction seems to come from the nature of the assignment. The prestige and the flexibility of the reassignment seem to significantly impact women’s job satisfaction. By continuing to treat mothers as valuable contributors to the workplace, police departments communicate their understanding of their contemporaneous need

for accommodation and their long-term career goals. Confining women to menial administrative tasks only reinforces stereotypes how motherhood is an inconvenience to the department. An officer out of the Boise, Idaho police department, states the following:

My department is currently undergoing a review of their "light-duty" assignments. I happen to be one of the first ones to undergo the change. I requested to be transferred to the Training Department to work on a Report Writing project that I had already agreed to undertake (as part of my other responsibilities in teaching Report Writing for our new officers). This request is instead of taking phone reports for the next 6 or 7 months. As the request went through the chain of command, I was granted the light-duty assignment of working with Training. In addition to the Report Writing project, I will be working on several other projects.

All nine women placed in a detective squad appeared pleased with their assignment. Conversely, the 18 women that were placed on administrative duty did not seem as content. The two women reassigned to school liaison officer duty expressed extreme dissatisfaction with their overall treatment. However, one of these officers mentioned that being a school liaison officer afforded her time to pump breast milk. An officer out of a Wisconsin police department did mention that being allowed to pump milk at work would be helpful for nursing mothers. That officer had to discontinue nursing, stating that there was simply no time for that activity.

Nine women (12.3 percent) reported that no accommodations were made. Emily, out of the Salem, Oregon police department, explains:

I am not aware of any department policies on placing pregnant officers on light duty assignments once the officer chooses to disclose the pregnancy. There are no policies on when a pregnant officer needs to come off the road and be on desk duty. I met some resistance with my superiors when I wanted to come off the road sooner than they thought I should (I was 11 weeks and my doctor wanted me to be on desk duty). I was never denied a light duty desk assignment once my doctor filled out a light duty note, but I was pressured to stay in uniform and was even offered to have them tailored to fit my expanding waistline.

Among the women surveyed, not one understood there to be a standard departmental policy in existence. An officer out of Idaho Falls police department, writes,



There is nothing standard in the event female officers in the future become pregnant. There would still be a lot of fear about where she would end up or how it would affect her career.

For those women in which reassignment involved detective work, or otherwise work seen as challenging or useful to the department, overall morale among them appeared to be higher. Also, having some knowledge of FMLA, or awareness of a departmental plan for action, seems to positively affect attitudes as well.

In order to obtain a clearer view of the possible relationship between departmental information provided and accommodations made to expecting mothers, the first three questions are cross-tabulated. The relationship between the answers to Question 1 (awareness of the policy) and Question 3 is statistically insignificant ( $\gamma=.160$ ,  $p=.277$ ).

There is a statistically significant relationship between the responses to Question 1 and Question 2 ( $\gamma=.336$ ,  $p=.02$ ). A FMLA informational poster must, by law, be affixed in plain view, so this lack of knowledge is particularly surprising.<sup>140</sup> Seven out of 15 respondents (46.7 percent) who reported that they were not given any information regarding leave upon announcement of their pregnancy, also reported being previously unaware of any departmental policy. Those reporting the highest levels of previous awareness (of FMLA and/or departmental policy) were also the most likely to have received the necessary paperwork and information. Of those who reported being unaware of FMLA and departmental policy, seven out of nineteen respondents (36.8 percent) reported receiving the necessary paperwork and information regarding paperwork. It seems as if the least informed officers before a pregnancy are also the least informed upon announcement of pregnancy. Tentatively this finding might be attributed to departmental culture. The more accommodating departments will ensure that there is some knowledge of family leave policy even before pregnancy becomes an issue.

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<sup>140</sup> <http://www.dol.gov/esa/regs/compliance/posters/fmla.htm>, last referenced July 3, 2008.

Much of the information regarding leave time seems to have been obtained informally, that is, communication with co-workers or independent contact with the city's Human Resources department.<sup>141</sup> Of the fifteen police officers who obtained information through informal contact, five (33.3 percent) reported not having any previous knowledge of the department's or FMLA's policy. The findings suggest that many officers (32/73, or 43.8 percent, in this sample) do not receive any formal treatment, in terms of information provided, by their departments upon announcement of their pregnancy. When it comes to pregnancy, these women must seek out information, regarding their rights to leave time, themselves.

The relationship between Question 2 (information received)<sup>142</sup> and Question 3 (accommodations made) is almost statistically significant ( $\gamma=.275$ ,  $p=.051$ ). This provides further corroboration that police department providing information will also be more accommodating.

#### ***Question 4: improvement***

The responses to this question contain some important policy implications that are discussed briefly here and will be elaborated upon in more detail later. There is disagreement concerning the conceptualization of pregnancy: many feminists see the disability classification as liberating while others see it as an undervaluation of women and pregnancy (see Chapter 1). Many of the women surveyed did not view maternity as a disability. Eighteen women expressed a desire for more leave so they would not have to drain their sick leave. Eight women suggested that some type of leave policy should exist for the men with pregnant wives. The majority of

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<sup>141</sup> Not knowing where to turn for information, some of these women were told by co-workers and supervisors to contact the city's Human Resources department.

<sup>142</sup> In regards to Question 2, two officers expressing extreme dissatisfaction with their treatment, having had to fight for what leave they received, were recoded as "none". The one officer reporting having trained her supervisor on the policy was recoded as "receiving the necessary paperwork". The nine women reporting immediate reassignment after pregnancy notification and were also coded as "receiving the necessary paperwork".

women who suggested this, 87.5 percent (7/8) were married to other police officers within the department. The responses suggest that women police officers view pregnancy as a condition that should be treated as a family event. The vast majority of respondents, 79.5 percent (58/73) wrote that their department's policy can be improved. An officer out of a police department in Iowa, writes:

Hell yes it needs [to be] improved. Females should be able to work investigations, records, or property after they can no longer effectively do their job on the street. There is plenty of work that needs to be done in these areas to make us more effective while we're pregnant. Let's face it, does it do the dept any good to have us sit at home for 6 months while we, well, gestate? It's a danger to the female officer that doesn't have the time to take off or can't afford to take the disability pay and stay on the street longer than they should. We're basically punished for wanting a family, but the male officers that want kids can have their cake and eat it too. I worked until the day before I delivered for both of my pregnancies, but there wasn't a day that went by that I didn't question the safety of my baby. I did everything I could to protect myself, but this is an inherently dangerous job. I couldn't give in and take the time off and by my second pregnancy I didn't have any time left (my girls are 16 months apart.) I actually had to take a few weeks off without pay the second time around.

Responses from the Waterloo police department were unanimous in their wish to see some type of better maternity leave policy put in place. However, 13 women (17.8 percent) from 12 different departments, representing seven states, did not feel that their department's policy needed to change. There are important similarities among these women. All but one of the 13 reported being taken off the street, and nine heralded the efforts of their department and coworkers in assisting them throughout their pregnancy. Emily, out of a police department in Kansas, was congratulated on her pregnancy and was given a position at the Communications Center answering 911 calls. Lisa, from the Cape Coral, Florida police department, was allowed to receive donated time from her husband. Sherry, from the Odessa, Texas, police department, received donated sick time from fellow co-workers. She writes:

One female employee donated 15 days. These people hardly knew me. I was reassigned to desk work and once I returned from leave I was allowed to pick up where I left off. I attended the next police academy and began my career of being a police officer.

All of these women were provided with reassignment and schedule flexibility that went beyond any stated policy.

Of the 38 (52.1 percent) who specifically mentioned the need for paid maternity leave, 17 were reassigned to light duty, four to the detective squad, 12 to administrative duty, and five reported receiving no accommodations whatsoever. This suggests that, regardless of accommodations made by departments, paid leave is seen as a necessity by many of the police officers. Emily's case, out of a police department in California, is illustrative of California's rather limited paid leave policy. Because the city decided to opt out of the disability program, she was forced to use all of her sick and vacation time. Emily writes:

I feel that our department needs a paid maternity leave program. I was not fully recovered when came back to work and I began to suffer postpartum depression. This caused me to have anxiety attacks at work and not enjoy my job at all. I was unable to take any time off to deal with the issue of postpartum depression due to the fact that I had used all of my time banks during my physical recovery. At that time our POA [Police Officers Association] did not have any paid maternity leave insurance. Now we have the insurance program which will pay an officer for time off related to pregnancy after 30 days of unpaid leave. In order to collect on that an officer still has to drain their banks. I don't think that all banks should have to be drained before an officer can go on unpaid leave.

So, if an officer would like to save her accrued paid leave, she cannot because she must exhaust that leave before going on unpaid leave. Eight of these 13 women mentioned the problem of having to use all of their own accrued time (vacation, sick, etc.). Nine specifically mentioned the inequality of having to use vacation and sick time, noting that maternity leave has

nothing to do with either being sick or on vacation. With 19 years on the job, Laura from the Fayetteville, North Carolina makes the following suggestion:<sup>143</sup>

Yes, I feel the department (City) should provide employees with the first six weeks of maternity leave separate and apart from accrued leave time. If an officers wants more than six weeks off, the remaining time off should come from leave balances (sick, vacation, holiday, comp time, etc.) Maternity leave would only be granted to employees with two or more years with the department/City. If you become pregnant during the first two years, you must use your accrued leave balances and leave without pay. This would be an incentive to delay pregnancy until after Basic Law Enforcement Training and Field Training and time on the “road” to learn the job.

Six women (8.2 percent) representing four departments in Texas, Florida, Wisconsin, and Minnesota specified that they would like to see maternity leave for both parents. Of those six, four are married to police officers. Two police officers from Florida and California, in response to Question 4, wrote that it is the city’s policy that needs to change, not necessarily that of the police department. This might partially stem from fear that an official policy would limit the accommodations made. Emily, from Oxnard, California wrote:

I like the fact that it is vague because it leaves room to accommodate each differently. It doesn’t force us all into the exact same routine. I had a medical condition with my pregnancy and I could not have come back at the same time as maybe the next mother. I would like to see the ability to share hours in the vacation banks between spouses. My husband is also an officer and wanted to donate some time to me to stay with our son a little longer, but the city does not allow it.

Mary, from the Las Cruces, New Mexico police department stressed, in a phone interview, the uniqueness of police work, a sentiment that seems to be shared with many of the women surveyed. She pointed out that having a city policy is not adequate for police officers. Shelly from the Champaign, Illinois police department and Emily from the Oxnard, California

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<sup>143</sup> That same officer estimates that women accrue half the amount of sick leave men do by the time of retirement due to having to take more time off for children. Approximately 20 years ago she had sent out a department memo requesting a more comprehensive leave policy, but nothing has been done since.

department point out that the cities, not the police departments, were culpable for substandard maternity leave policies. It is clear from these cases, and the additional research conducted for this study, that police departments rely on the policy of the city as a rough outline. This is problematic because the city typically treats all pregnant employees under a blanket policy that defines pregnancy as an illness or a disability, easily dealt with when employees primarily work behind a desk. As Emily from Oxnard, California points out, the ambiguity of police department policy allows for accommodation that seems to exceed that of many other public agencies that do not require creative assignments during pregnancy.<sup>144</sup> There is flexibility to be found in vagueness of policy but, conversely, such situations can also be highly restrictive, especially when accommodations are denied.

In summary, 15 (20.5 percent) of respondents reported not wanting a change in policy, six (8.2 percent) wanted a modified policy, and eight (11.0 percent) simply answered “yes” in response to the question. Thirty-eight respondents (52.1 percent) wanted to see some type of paid maternity leave provision for departments. Six respondents chose not to answer Question 4 at all. By and large, the responses from the surveys indicate a need for an improvement in the current departmental policy.

None of the relationships between the responses to the three questions and those to Question 4 (opinions on future leave policy) were statistically significant.<sup>145</sup> In some of the

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<sup>144</sup> Professor and Director of the Comparative Politics Program at West Point Academy, Major Chacho, pointed out that job performance is usually a determinant in the granting of more or less family related leave in the military. This is likely the case in law enforcement as well. Though measurement of an employee’s performance may be difficult in the law enforcement profession, the military establishment may provide statistics that allow for the comparison of performance and the amount of leave granted.

<sup>145</sup> Three women suggested that leave time should be better explained and two women wanted a guarantee that unpaid leave would not be forced on them. Two suggested that city policy needed to be changed, whereas one mentioned a guarantee that seniority would not be lost. All eight of these women were categorized as supporting a “modified leave policy.” Additionally, those reporting a desire for paid paternity and maternity leave (eight in total) are categorized under “paid maternity leave.” The gamma scores, with their statistical significance in parentheses,

most accommodating departments, usually containing the highest percentage of police officers who are reportedly satisfied with their department's handling of the pregnancy, paid maternity leave was still seen as essential by the women surveyed. Out of the 51 that reported being assigned to light duty, 24 (47.1 percent) still felt that paid maternity leave should be available.<sup>146</sup> In contrast, only one officer reported that no accommodations were made by her department yet felt that the department's leave policy did not need to be improved.

FMLA is right-affirming in the sense that it disallows discrimination and authorizes some leave time, but it establishes only a floor on leave that is itself minimal. None of the accommodations made by departments are compulsory under FMLA. Some type of reassignment, whether it be light duty or administrative, seems generally unavoidable and police departments appear to offer informal accommodations. Unlike the vast majority of school district policies detailing the process of taking maternity leave, police departments have largely chosen to deal with pregnancies on an ad hoc basis. While women are still underrepresented in police departments, it is nevertheless surprising that few official policies exist, especially given the potential disruption pregnant officers might cause a department. Policies pertaining to leave taken for military service, and even for educational purposes, are clearly posted on many, if not most, of the examined department websites. These policies affect a number of police officers and are therefore seen as important enough to post publicly. Child and maternity policies are, in the great majority of police departments, not posted.

The desire to accommodate pregnant officers is clearly there, but it seems to run counter to the police work-ethic. Emily, out of the Sacramento, California police department writes:

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are as follows: Question 1 and Question 4: -0.17 (p=.912), Question 2 and Question 4: -.122 (p=.541), Question 3 and Question 4: -.202 (p=.236).

<sup>146</sup> Nine respondents had reported being reassigned to detective squads, a highly desired placement. Still, seven out of these nine respondents (77.8 percent) mentioned a need for paid leave.

I think the leave policy would be better if men could be paid for 30 days leave for the birth of a new child. I also think better training for our management to understand maternity leave would be good. Now that I am back [from] maternity leave, every time I ask for time off or to go to a training class I get the response of “you are never here.” [N]o one considers the fact I was gone on maternity leave. They just talk about how I am gone all the time.

At least for these larger police departments, it seems that the institutionalized masculinity of the law enforcement profession is preventing the codification of policies. Emily’s statement illustrates the need for a re-conceptualization of what it means to be an employed parent so that females might attain recognition for their roles as mothers *and* police officers. Women have worked to break down stereotypes concerning their perceived inability to work in the law enforcement profession. Now, the stereotype seems to be that mothers and fathers cannot be equal and valuable contributors to their police departments because of inequitable gender values concerning parenthood.

The cultural expectation placed on motherhood, however, might prove to be a more formidable barrier for women to overcome, arguably because of the low expectations placed on fatherhood. Mothers are expected to contribute more of their time to child-rearing than are fathers, and it seems to be culturally understood that this might affect how much time is spent at work. Nevertheless, the *economic* culture in the United States is such that employment and family are unconnected and therefore pregnancy is a choice that should not receive any special accommodation. Darcy, from the Waterloo, IA police department explains:

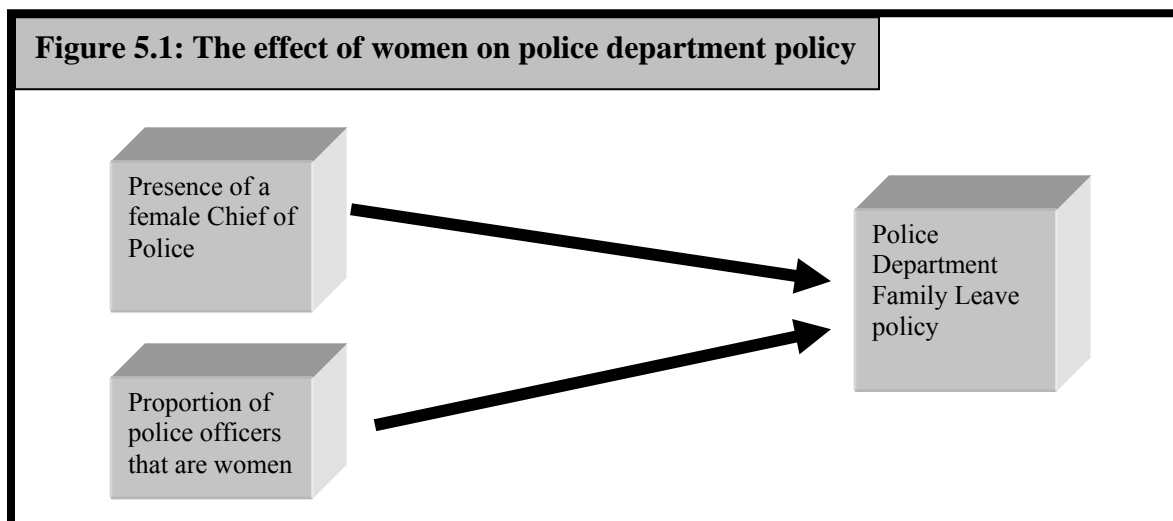
I expect to be treated the same if I break my leg off duty the same as anyone else, but only a female can carry a baby. So they need to classify pregnancy differently so we aren’t being financially punished for wanting to have a family. They told me that if they put me in a 90-day rotation in another department, it would show favoritism. To me it shows the opposite because females are being punished for wanting a family because of the way our policy is written.



Of course, the economic and social spheres are very much intertwined. Organizations allow for leaves due to education, bereavement, vacation, military, community service, and sick leave, to name a few. When men and women join the military, they are celebrated for their patriotism and civil contribution and their places of employment are generally obliging of their special scheduling needs.<sup>147</sup>

### ***Hypotheses***

Women in law enforcement face pressures different from women in other professions and therefore might be less likely to engage in behavior that would appear too feminine, thus avoiding adverse confrontation with their co-workers and supervisors. An institutional and political context that encourages women's rights is likely to cultivate an environment in which women police officers feel comfortable in their dual roles as mother and law enforcement officer. Figure 5.1 displays the relationships expressed in the hypotheses. The level of female representation in police departments is purported to affect a department's willingness to accommodate women police officers who become pregnant.



<sup>147</sup> The recently amended FMLA allows “care-givers” up to twenty-six weeks of unpaid leave for the care of an injured service member, fourteen more weeks than for the birth or adoption of a child (<http://www.dol.gov/esa/whd/fmla/fmlaAmended.htm>, last referenced June 24, 2008) .

An agency's family leave policy might have an effect on the number of women applying for law enforcement positions, both as a rational calculation of expected future plans and as an assessment of that agency's stance regarding women in law enforcement. Agencies with less accommodating policies might also be less women-friendly in recruitment efforts. Still, research has not been able to demonstrate a strong association between a company's leave policy and women choosing companies by their leave policy (Averett and Whittington, 2001). Therefore, a more likely relationship is that women choose their occupations first and, if they gain some organizational power, are able to press for more progressive policies. It is possible that increasing rates of women in departments will positively affect departmental attitudes such that chiefs will want to recruit and retain more women by effecting comprehensive leave policies.

The ninth hypothesis therefore is:

H<sub>9</sub>: As the proportion of women that is police officers increases, the comprehensiveness of family leave policy increases.

If, as expected, the overt masculinity encountered by women in law enforcement differs from that of women in other sectors, it becomes important to study women in positions of authority in law enforcement because they might instigate significant changes in the power structure. Law enforcement has different mechanisms for internal advancement like contact with political representatives and becoming certified at the FBI academy (Scarborough and Collins, 2002). As discussed earlier, women police officers will not necessarily be more understanding of women's issues. This might be especially true if high-level positions were attained because of their ability to assimilate to law enforcement's male culture. Because of the highly personal nature of pregnancy, it is arguably an inescapable issue for women police officers. Perhaps as women rise through the ranks of police management they will face increasing demand by their female subordinates to officially recognize pregnancy in policy. While personal experience

might not suffice as a motivator of policy change, a woman's position as Chief of Police may create an environment more favorable to otherwise latent demands of the female employees.

H<sub>10</sub>: If a female rather than a male is the Chief of Police, the comprehensiveness of family leave policy increases.

No studies examined have demonstrated empirically the impact of police unions on the rights of minority and female officers.<sup>148</sup> In short, there do not appear to be any organized groups aggressively pursuing women police officers' rights concerning pregnancy in law enforcement agencies. The next chapter will now examine, empirically, what factors might explain variations in policy comprehensiveness.

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<sup>148</sup> A potentially significant variable could be missing in this analysis, being the percentage of women in any given department who identify with and are members of an organization that promotes women police officers' rights in the workplace. Due to the lack of local affiliates, the impact on departmental policy of such organizations like the National Center for Women and Policing (NCWP) is arguably negligible. It appears as if there is no real attempt to organize women officers as a collective and therefore the omission of their membership in NCWP, or any other group, is unlikely to be significant.

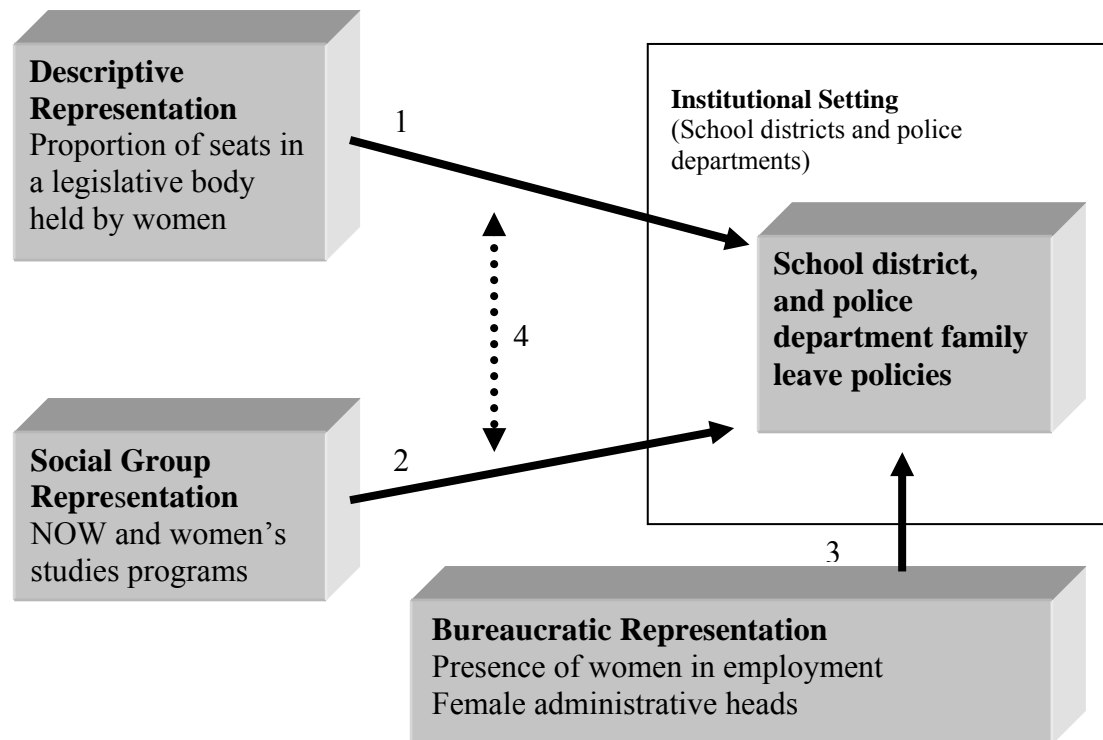
## CHAPTER 6

### Measurement and Results

Presented below is the final model to be tested in this analysis, depicting the most important hypotheses outlined in the previous chapters. A discussion of the model is followed by a detailed account of variable measurement. The hypotheses discussed thus far are then presented in operational form. Two equations, depicting the relationship between descriptive representation and policy and social group representation and policy, are elaborated upon. The institutional setting, as illustrated, is measured by applying these equations to police departments and school districts separately. Concluding the data description section will be a brief discussion of control variables not illustrated below yet included in the statistical analysis.

**Figure 6.1:**

A gender-dynamic framework of institutions and the determinants of family leave policy (hypotheses identified by number)



Note: The dashed line for Hypothesis 4 indicates an interaction between descriptive and social group representation.

Descriptive representation, in the form of women on city councils and on local school boards, is expected to affect the content of family leave policy. As argued in the previous chapters, however, an analysis that utilizes only descriptive representation as the primary independent variable will not suffice. Women's demands, operationalized as the presence of social group representation, are also expected to increase the likelihood of more comprehensive leave policies. Moreover the institutional setting, police departments or school districts, may alter the relationship between leave policy, social group representation and descriptive representation.

Chapters 4 and 5 introduced specific school district and police department variables that further elaborate on the gendered differences within the two professions, not just between them. Bureaucratic representation, operationalized as the proportion of women in the organization's work force and the presence of women in administrative positions, will vary among different police departments and school districts. These variables address the possibility that varying levels of women in an organization affect the overall gender context. Chapters 4 and 5 provided descriptive statistics concerning the leave policies of city schools and police departments. This chapter will proceed in three parts. First, the measurement of the variables is presented, followed by the analytic design section. Lastly, the results of the analyses are provided, proceeded by a discussion of their implications for policies responsive to women and for future research.

### **The data**

The research questions posed require a depth and range of variables that can only be addressed through extensive data integration. Police departments and school districts serve as the unit of analysis. They were identified through the U.S. Census State and Metropolitan Area Data Book (SMADB) which lists the principal cities in all 362 "metropolitan statistical areas" (as

defined by the U.S. Office of Management and Budget).<sup>149</sup> These cities are themselves the most populated in their respective MSAs. Three datasets are utilized for empirical analysis and explained in detail below.

Data for the police departments of the principal cities comprise one of the datasets. Only those cities for which the leave policies of police departments could be verified are included in the police dataset resulting in an n of 203 (159 missing cases). Data for school districts constitute another dataset. The acquisition of leave policies of school districts were verified for all but 47 school districts, leaving an n of 315. The third dataset pools the data for the cities for which the leave policies of both the school districts and police departments have been verified. This dataset includes 193 sets of matched observations.

The following section identifies the measurement of the dependent variable, family leave policy, in school districts and in police departments. The operationalization of policies is derived from Chapters 4 and 5, which provide a listing and explanation of the more qualitative aspects of these policies. In these chapters, policies were grouped according to their comprehensiveness based on a variety of dimensions, such as number of days allotted for leave and FMLA compliance. Coding choices are based on these groupings. The next section discusses the measurement of descriptive and bureaucratic representation in school districts, then in police departments, followed by a description of measurement for social group representation. Finally, the measurements for control variables are provided.

### ***The dependent variable: family leave policy***

Police department and school district policies are coded comparably so that they may be pooled for the final analysis. An obvious difficulty, discussed in more detail below, in

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<sup>149</sup> The metropolitan statistical area must contain at least 50,000 residents. The Census identifies the largest city, if there is more than one in a metropolitan statistical area, as the “principal city” (<http://www.census.gov/population/www/estimates/aboutmetro.html>, last referenced July 5, 2008).

comparing leave policies between schools and police departments lies in properly gauging levels of “comprehensiveness.” The coding schemes, which are ordinal, attempt to capture differences in policies within districts and departments that are substantively similar across them.

FMLA does allow states and employers to stipulate provisions to the minimum 12 week requirement. The spousal exception was the most common stipulation found in FMLA leave policies. When couples work for the same city or district, they can be limited, under FMLA, to a combined twelve weeks of leave. A woman could still receive 12 weeks of total leave but her spouse, then, would not be able to take any FMLA leave. By forcing couples to make decisions regarding the delegation of leave time, the importance of time due to maternity is minimized. If the woman experiences significant recovery time, her, and her spouse’s, bonding time with the child is limited. School districts that impose this constraint are coded as the least comprehensive, “1” (25.4 percent, 80/315).

Without the spousal exception, spouses can each 12 weeks of unpaid leave time, with a total of 24 weeks designated to child-rearing purposes. This allows women, whose spouses also work, time for recovery and bonding, as well as the option of going back to work with the knowledge that the child is being cared for. This policy context is coded “2” because it advantages pregnant women more than those with the spousal exception.<sup>150</sup> Twenty seven percent of the school districts (85/315) are found to have policies specifying only that FMLA is followed in cases of pregnancy.

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<sup>150</sup> In extenuating circumstances some districts offer extended leave for mothers. Not all mothers requesting extra leave for child birth will receive an extension if the policy does not guarantee such time off. Therefore, unless the policy explicitly states that all mothers receive extended leave if requested, it is not taken into account in the coding. In other words, an extension to the mandatory FMLA leave is not guaranteed. Given the high percentage of women employees in the public education system, it is surprising how many school districts only mention federal policy, and do not outline any guidelines as to how the maternity leave should be handled.

Many of the districts examined allowed for extra unpaid leave time, in addition to that of FMLA's designated twelve weeks. These are coded "3" and "4," depending on whether or not a school district allows up to year of unpaid leave time or more than a year. In very few instances were provisions made for paid leave.<sup>151</sup> The most frequently occurring policy was the one coded as "3" (35.2 percent). School district policies coded as "4" were not as numerous, comprising only 10.3 percent of the total policies. Policy contexts which entail paid leave, in addition to excess FMLA unpaid leave, are considered the most beneficial to a pregnant employee, and they are coded "5". Only 1.9 percent of the districts offer paid leave.

Table 6.1 lists how the school district policies are catalogued. For the most part, the policy coding procedure follows the qualitative discussion of policy groupings in Chapter 4. The variable is ordered in terms of comprehensiveness of a district's policy.

<b>Table 6.1</b>		
<b>A categorization of school district leave policies</b>		
<b>Variable Value</b>	<b>Policy Description</b>	<b>Frequency</b>
1	District follows provisions of FMLA. Spouses employed by the district may share the twelve weeks of leave time.	25.4% (80)
2	District follows provisions of FMLA (no spousal exception) but does not specify any leave in addition to this.	27.0% (85)
3	FMLA and up to a year of unpaid leave.	35.2% (111)
4	FMLA and more than a year of unpaid leave.	10.3% (33)
5	Unpaid leave in excess of FMLA and a provision for paid leave.	1.9% (6)

Note: n=315

Plausibly, neither teachers nor police officers will be eager to take unpaid leave (or be forced to exhaust accrued sick and vacation time). Both teachers and police officers are likely to

<sup>151</sup> Admittedly some variation in policy is lost when following the above coding. School districts differ by the amount of leave afforded to the father of a newborn. Such leave provisions arguably benefit the mother, thus resulting in that policy being more comprehensive than one that does not allow for paternity care. Adoption of newborns is also treated differently by school districts. Colorado Springs School District 11, for example, specifically mentions paternity leave as an option for male teachers adopting an infant. As with a mother, up to a year may be granted, by request, to a male teacher who had just become a father (<http://www.d11.org/boe/policies/gccac.htm>, last referenced July 5, 2008).



favor a policy that accommodates their pregnancy by allowing them to either work in a position that is less physically demanding, or receive some type of compensation. Teachers are more likely to take longer leaves because their absence does not pose as much of a strain on the district as police officers who leave for long periods of time. Indeed, many of the school policies examined force women to take leave in cases where the leave taking commenced towards the end of a semester.

Not all police departments have their own policy, relying instead on city policy, which tends to follow FMLA. These policies are comparable to school districts in that the least comprehensive, coded as “1”, limits spouses working for the city to share their 12 weeks of FMLA leave if they both desire to take time off from work for purposes of child birth, and those without this spousal exemption are coded as “2”. The great majority of police departments, 81.3 percent, fell into these two categories (see Table 6.2). About 23 percent of them were coded as “1” and about 58.1 percent were coded as “2”. A few cities (5.9 percent) provide unpaid leave in excess of FMLA and are coded as “3”.

If women police officers are not accommodated by their police departments, by receiving light duty work assignments for example, it is arguably irrelevant to them how much unpaid leave time they are allowed under city policy. They may well not want to cause their department undue hardship by taking time off. It is also financially unfeasible for many police officers to take unpaid leave. City policies are substantively different from police department policies, not only for their lack of specificity, but in their social connotation. Departments with codified maternity leave policies have legitimized this familial responsibility for both male and female police officers. Therefore, departments recognizing maternity leave are coded “4” (6.9 percent) or “5” (5.9 percent). A city’s policy is improved when a department codifies additional

accommodation to expecting police officers by means of separate policy. In total, 12.8 percent of police departments examined had a departmental policy in place.

A policy that affords “light duty” for pregnant police officers receives the same numeric value “4” as a school policy that allows for more than a year of unpaid leave. Both of these policies exceed FMLA, but the decision to code police policy as such was made in consideration of the different occupational needs of women police officers. They are likely to favor a policy that works with their pregnancy rather than one that provides for time off that they will not be able to take.<sup>152</sup>

Category “5” includes policies that provide for some type light duty assignment, *and* unpaid leave in excess of FMLA’s designated twelve weeks *and/or* paid leave. For example, police departments in California that follow a city policy which participate in the Social Disability Insurance program (SDI) are coded as “5”, but they also specified their participation in the program in separate departmental policy.<sup>153</sup> Almost six percent of police departments provided accommodation, in terms of leave time, in addition to a provision for light duty.

The policy coding displayed below is mutually exclusive and ordinal, in that the policy improves as the value increases. City policies by themselves are inferior to police department policies because they do not specify how police officers will be accommodated (i.e. light duty).<sup>154</sup> Most importantly, a separate police department policy acknowledges the female

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<sup>152</sup> As has been explained in Chapter 5, the level of light duty typically offered in police departments varies considerably. Police officers might be allowed flexible work hours in which time is allowed for mother-related activities like pumping breast milk. This issue was raised as a voluntary response among some of the survey participants and, in some cases, an expressed accommodation that elicited positive evaluation of departmental policy. Some officers mentioned not having access to a sick bank whereas others were pleased with their departments’ generosity in accumulating extra leave. In other cases, respondents mentioned being allowed unpaid leave that far exceeded what is permitted under FMLA or city policy.

<sup>153</sup> Participation in SDI is optional for public agencies ([http://www.edd.ca.gov/pdf\\_pub\\_ctr/de44.pdf](http://www.edd.ca.gov/pdf_pub_ctr/de44.pdf), July 5, 2008).

<sup>154</sup> Chapter 5 detailed the different ways departments accommodate officers (i.e. reassignment to another squad, duty desk, or school liaison duty). These differences naturally result in varying levels of job satisfaction but, for purposes of this study, “light duty” entails any and all such accommodations departments make for pregnant officers.

officer's pregnancy as a legitimate employment condition by recognizing her dual role as police officer and mother, and adjusting accordingly. Police departments that simply refer to the city's policy are not sensitive to the fact that pregnant officers might need, and deserve, more than just a referral to that city's Human Resources Department. The police leave variable classification is provided in Table 6.2 below:

<b>Table 6.2</b>		
<b>A categorization of police department leave policies</b>		
<b>Variable Value</b>	<b>Policy Description</b>	<b>Frequency</b>
1	Relies on city policy, which follows provisions of FMLA. Spouses employed by the department/city limited to the twelve weeks of leave time between them.	23.2% (47)
2	Relies on city policy, which follows provisions of FMLA (no spousal exception).	58.1% (118)
3	Relies on city policy, which provides for unpaid leave in excess of FMLA	5.9% (12)
4	Department has own policy in place that provides some type of light duty assignment.	6.9% (14)
5	Departmental policy designates unpaid, or paid, leave in excess of FMLA as well as some type of light duty assignment.	5.9% (12)

Note: n=203

An initial examination of these summary statistics illustrates the difference between the two public agencies in their provision of maternity leave policies. Whereas 27.0 percent of school districts have a policy that follows FMLA only, this is the case in 58.1 percent of the police departments. Almost seven percent of police departments allow for some type of light duty assignment, while 10.3 percent of school districts allow women to take more than a year of unpaid leave. And, of course, all school districts specified a policy for teachers, whereas only 12.8 percent of police departments did. Interestingly, though, these initial findings suggest that when police departments accommodate their employees by providing a maternity leave policy, they might, arguably, be more comprehensive than those for teachers. Almost six percent of police departments offered a policy that provides for paid leave, light duty, *and* unpaid leave in

excess of FMLA's mandated 12 weeks. Only 1.9 percent of school districts offered a similar policy, which consisted of paid and additional unpaid leave in excess of FMLA. Considering that only 12.8 percent of police departments have their own policy, these findings are especially stark in contrast. When police departments have codified maternity leave policies, almost half of them fall into the highest possible category of leave comprehensiveness.

### ***Descriptive, Bureaucratic, and Social Group Representation***

Representation is measured along two dimensions for both school districts and police departments: political and bureaucratic. For school boards, political representation is measured as the proportion of school board members that is female. This, and subsequent, information for schools can be found on the school district's official website. Bureaucratic representation includes the gender of the school superintendent (0=male and 1=female) and the gender composition of the teaching population, calculated as the proportion of teachers that is female, in each district. Two hundred and thirty six (74.9 percent) superintendents in the sample are male, 79 (25.1 percent) are female. The proportion of female board members ranges from 0 to 1 and the average proportion is .44 (n=315). To account for the possibility that the grade levels taught are a reflection of institutional prestige, the gender composition of pre-secondary and secondary school teachers is assessed separately.<sup>155</sup> The aforementioned, and all other variable distributions, can be found in Appendix D.

Political representation on the police departments' governing board is measured by calculating the proportion of city council members that is female. Information obtained for the gender composition of city councils was derived from the code of ordinances for each of the

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<sup>155</sup> The Department of Labor, Office of Federal Contract Compliance Programs, Office of Personnel Management, the Department of Justice, and the Census Bureau have made information about teachers in kindergarten, middle school, and secondary teacher levels publicly available (<http://www.census.gov/eo2000/index.html>, last referenced July 5, 2008).

cities.<sup>156</sup> These documents are kept up to date and the names of current elected officials are included. The proportion that females constitute on the council ranged from 0 to 1 with a mean of .26 (n=203). There are fewer women, proportionately, on city councils than school districts, a finding that corroborates recent research on local legislative bodies (e.g. Deckman, 2007).<sup>157</sup>

Bureaucratic representation is measured by the gender of the Chief of Police (or equivalent position),<sup>158</sup> and the proportion of officers that is female. Male Chiefs of Police are coded as “0” whereas female Chiefs of Police are coded as “1”. Fifteen of the 201 Chiefs of Police are female (7.5 percent).<sup>159</sup> The Bureau of Justice Statistics collects information on all local police agencies that employ at least one hundred officers and have at least fifty uniformed officers available to respond to calls.<sup>160</sup> Their data are used to identify the proportion of officers that females constitute in a department, which ranges from 0 to .32, with a mean of .11 (n=130).<sup>161</sup>

For the measure of the feminist presence in cities, labeled “social group representation,” information on the presence of National Organization for Women (NOW) chapters in cities and women’s studies programs in local colleges and universities is collected. For the measurement of NOW, a dummy variable for each city is constructed that indicates whether one or more chapters is present (0=not present, 1=present). One hundred and twenty cities out of the 315

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<sup>156</sup> The source most heavily relied upon for this purpose was the Municipal Code Corporation but the Coded Systems Corporation also provides such data on municipalities that were not included in the former.

<http://www.municode.com/Resources/OnlineLibrary.asp>,

[http://www.codedsystems.com/santa\\_fe.htm](http://www.codedsystems.com/santa_fe.htm), last referenced July 5, 2008.

<sup>157</sup> Deckman examines whether or not women on school boards are different than men in terms of ambition for further political office. She finds that the position of elected school board member does not seem to attract candidates who are interested in higher political office explaining, perhaps, why more women are found on school boards than men.

<sup>158</sup> In some cases examined, the head of the police department is identified as Commissioner, Director, or Colonel.

<sup>159</sup> The office of Chief of Police was vacant for the two police departments coded as missing.

<sup>160</sup> <http://bjsdata.ojp.usdoj.gov/dataonline/Search/Law/Law.cfm>, last referenced July 5, 2008.

<sup>161</sup> Unfortunately, data for 73 of the police departments were unobtainable because of their small size, thus not covered in the Bureau of Justice collection.

(61.3 percent) did not have a NOW chapter whereas 122 cities (38.7 percent) had one or more.

Each women's studies program is matched to its geographical counterpart, the principal city of the program's location.<sup>162</sup> The coding is as follows (frequencies listed in parentheses):

0=0 women's studies programs	(181, 57.5 percent)
1=1 women's studies program	(104, 33.0 percent)
2=2 or more women's studies programs	(30, 9.5 percent) <sup>163</sup>

Finally, the level of social group representation is assessed by taking the combination of numbers of women's studies programs and NOW chapters. This variable represents a better measure of the strength of the women's movement in any given city because it combines two different aspects of the women's movement. Expectedly, the presence of a NOW chapter combined with women's studies programs, indicating high social group representation, better represents the women's movement in that community. Women studies programs presumably communicate with their local NOW chapter in some way, perhaps increasing the coordination of feminist activity and broadening the scope of their influence. On the other hand, NOW chapters might encourage universities to develop, or build upon existing, women's programs. An additive index that takes both of these variables into account allows for a broader assessment of feminist presence in a community.

Women's studies programs and NOW presence will also be assessed separately in the equations, but are not expected to have as strong of an impact on leave policy as the combined variable, "social group representation." Social group representation" is operationalized as follows (frequencies listed in parentheses):

0=neither NOW nor program	(140, 44.4 percent)
1=either NOW or program	(87, 27.6 percent)

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<sup>162</sup> <http://www.feminist.org/research/wst.asp>, last referenced July 5, 2008. To control for the possibility that women's studies programs are a function of the number of universities in an area, population and educational attainment are added to the analysis (explained further in the control variables section).

<sup>163</sup> The third category is not collapsed into the second category because analyses seem to justify its retention when women's studies is utilized as an independent variable.

2=both NOW and program(s) <sup>164</sup>

(88, 27.9 percent)

### ***Control variables***

A basic overview for each of the control variables' theoretical import is provided, followed by their measurement. The first variables discussed are the measure of population, educational attainment, party identification, and fertility rates. Then, the justification and coding for the variables representing states is provided. Lastly, the need to control for grandparent care in a community is explained and the measure identified.

A variable for population dispersion in MSAs is included as a way to assess the impact of this population attribute on leave policies.<sup>165</sup> Densely populated areas might be more likely to have comprehensive leave policies for a number of reasons not limited to better access to day care services. Smaller cities might not have services amenable to child care (like day care centers, after school programs, etc.) and are more likely to have residents living in rural areas, which might also have fewer services than more densely, more populated areas. More populated cities also tend to have higher costs of living, causing many parents to enter the workforce at the same time, thereby further increasing the demand for more child care services in such areas. For the population dispersion variable, the Census Population Estimates Program 2005 estimates for people per square mile are employed.<sup>166</sup>

Theoretically, educational attainment may be a partial reflection of a community's social liberalism and could therefore affect leave policy. A college education perhaps provides exposure to information regarding other countries' social and government structures and policies,

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<sup>164</sup> Only twenty-three cities scored a "3" on social group representation and therefore they are recoded as "2".

<sup>165</sup> Conventionally in social science research, an aggregate measure of population is used. Arguably, population dispersion is a measure of both population and its distribution, thus encompassing both the geographic size of the city and the number of citizens that inhabit it. The simple measure of population was dropped from the analysis because of its multicollinear relationship ( $r=.49$ ,  $p=.00$ ) to population dispersion and because the latter, is viewed as more descriptive.

<sup>166</sup> [http://www.census.gov/population/www/estimates/Estimates%20pages\\_final.html](http://www.census.gov/population/www/estimates/Estimates%20pages_final.html), last referenced July 5, 2008.

thus stimulating demand for more comprehensive leave policies. Moreover, higher education may stimulate critical thinking, political participation, and encourage citizens to question and demand the social welfare policies of their government. Family leave policy has arguably been neglected by policymakers and the educational system in general, because it has been couched in terms of workers' rights, not women's rights per se. A university education lacking in women's studies classes remains an experience grounded in the American liberal work ethic.

Educational attainment is provided by the ACS and measured by the proportion of people, age 25 and higher, that has a bachelor's degree or higher.

Perhaps a better measure of a community's level of liberalism is the support a community provides in its voting behavior to Democratic or Republican candidates. Although neither party has ever had fully paid maternity leave as part of their presidential platform, the Democratic Party has been more likely than the Republican Party to support social welfare policies and the relative level of support provided that party is therefore a potentially significant variable to control for. The U.S. Census collects data on the proportion of votes cast, by county and state, for the Democratic Party presidential candidate.<sup>167</sup> The proportion of votes cast for the 2004 Democratic presidential candidate was obtained for the county in which the principal city is located.<sup>168</sup>

The women's fertility rate in a community is added as a control for demand/need for more comprehensive leave policies. Ideally, fertility rates among women police officers and teachers would be included separately in the analysis, but these data are not available at this time. The fertility rates in the overall community might contribute to an environment in which family

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<sup>167</sup> <http://censtats.census.gov/usa/usa.shtml>, last referenced July 5, 2008.

<sup>168</sup> Note that for the two principal cities found in Alaska, Anchorage and Fairbanks, only the overall state statistic is made available by the Census. Alaska's State Division of Elections also do not provide these data <http://www.elections.state.ak.us/04genr/data/sovc/hd30.pdf>, last referenced July 5, 2008.



leave is discussed more frequently and might be considered organizationally more relevant than in areas where fertility rates are lower. The ACS provides information regarding women's fertility, reporting the number of births (per 1000) for women between the ages of 15 and 50. These rates are found for the principal cities and, when not available, for the metropolitan area.

Arguably the most direct relationship between the external social environment and the resulting policy is the one between state policy and local leave policy. The findings from Chapter 4, that California school districts are overwhelmingly more likely to have a comprehensive leave policy, seem to corroborate this relationship. The possibility that state policy could exert an independent effect on city policy needs to be taken into consideration. States that mandate family leave policies that offer significantly more protection than FMLA are identified as being California and Washington. A dummy variable that reflects the presence of a more liberal state policy is included and will be coded as "1" for cities in California and in Washington.<sup>169</sup> In total, forty-one cities are coded as "1" for this variable (28 cities in California and 13 in Washington).<sup>170</sup>

In addition to California and Washington, the U.S. Department of Labor (DOL) identifies nine other states as different from FMLA because they go beyond the minimum requirements of the federal law.<sup>171</sup> The DOL utilizes FMLA's major tenets as the framework for evaluating how state policies measure up in comparison.<sup>172</sup> While other states are more liberal in that they might

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<sup>169</sup> Note that at the time of the data collection and analysis, New Jersey's May 2008 family medical leave policy had not gone into effect. Indeed, its effects might not be noteworthy for some time as only one percent of the eligible population is expected to withdraw maternity related disability funds per year (<http://nj.gov/governor/news/news/2008/approved/20080502.html>, last referenced July 5, 2008).

<sup>170</sup> The states are combined into one variable because their state policies are similar.

<sup>171</sup> The other states listed are Oregon, Hawaii, Maine, New Jersey, Rhode Island, Minnesota, Vermont, and Wisconsin (<http://www.dol.gov/esa/programs/whd/state/fmla/index.htm>, last referenced July 5, 2008). Thirty one cities were found in these states.

<sup>172</sup> The categories for these cross-comparisons are as follows: employees covered, employees eligible, leave amount, type of leave, definition of serious health condition, definition of health care provider, intermittent leave and/or substitution of paid leave allowable, reinstatement rights, key employee rights, maintenance of health benefits,

have less stringent eligibility requirements (i.e. relaxing the 50 employee minimum or one year work status), not all of the states identified by the DOL offer different maternity leave plans in terms of the total amount of leave allowable. Some of these states do require that public and/or private employees are afforded protections which are not accounted for in this study's coding of leave policy. All of the states, except Oregon and Rhode Island, specifically mention that intermittent leave, not protected by FMLA, is allowable for pregnancy related leave.<sup>173</sup> Still, many of the other surveyed public agencies do offer intermittent leave plans for newborn child care so states that allow for this are not considered theoretically important. That is, despite the fact that FMLA allows employers to limit intermittent leave, school districts might elect, despite their state policy or FMLA, to allow for it.

Despite the minimal differences found between these states' policies and FMLA, they are included because their public organizations might offer comprehensive policies based on the state's arguably more women-friendly social context. Oregon, for example, allows female employees to take a total of twenty-four weeks of unpaid leave if twelve of those weeks are related to pregnancy and the other twelve are to care for a sick family member.<sup>174</sup> To concede a possible effect of the DOL identified states on leave policies, an "inclusive state variable" dummy, in which police departments or school boards in these states are coded "1".

Lastly, the presence of other caregivers, who could provide help to new parents, is accounted for by examining the level of grandchild guardianship taking place in a community. Grandparents are at times tasked with the responsibility of caring for their grandchildren and the

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provisos for advance notice, medical certification requirement, and rights of executive employees (<http://www.dol.gov/esa/programs/whd/state/fmla/index.htm>, last referenced July 5, 2008).

<sup>173</sup> <http://www.dol.gov/esa/whd/state/fmla/or.htm>, last referenced July 5, 2008

<sup>174</sup> However, it must be pointed out that teachers might be exempt from this under the Oregon law (<http://www.dol.gov/esa/whd/state/fmla/or.htm>, last referenced July 5, 2008).

rate at which this is happening seems to be increasing (U.S. Census, 1998).<sup>175</sup> It might be because the number of single-parent households, and the number of households in which both spouses work, have increased (while leave policies have remained stagnant) encouraging parents to relegate care-giving responsibilities to grandparents. The Census report finds that the reasons appear to be influenced by the impoverished status of the parents rather than their working status (see footnote 23). Still, there is a possibility that the presence of grandparents, willing to care for grandchildren, influences the maternity leave policies of communities and therefore this variable is included as a control variable. The ACS reports the proportion of grandparents in an area who are reportedly caring for their grandchildren.<sup>176</sup> The principal city's proportions are collected and, in those cases where the city proportion of grandparents caring for grandchildren is unavailable, the proportion for the metropolitan statistical area is utilized.

### **Analytic design**

Each of the theoretical models have been developed and presented in the foregoing chapters and are combined for empirical testing here. Figure 6.1 illustrated the expected relationships purported by the hypotheses. A functional form of these hypotheses, in which the expected direction of the relation is indicated by the signs preceding the coefficients, is given first. Following the hypotheses below, two equations accounting for the organizational culture of the police departments and school districts, respectively, are provided. Supplementing these, two models are presented in which the organizational variables of police departments and school districts are illustrated (Figures 6.2 and 6.3). Environmental control variables, discussed above,

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<sup>175</sup> <http://www.census.gov/population/www/documentation/twps0026/twps0026.html>, last referenced July 5, 2008

<sup>176</sup> The survey question is addressed to the head of the household and asks whether or not there is a grandparent in that household responsible for the primary care of a grandchild (<http://www.census.gov/acs/www/Downloads/ACS/finaldyepaper.pdf>, last referenced July 5, 2008).

are omitted from the operational specification for sake of brevity but will be included in the final analyses.

Hypothesis 1: Descriptive Representation

$$H_{1a}: \text{Leave policy} = \beta_0 + \beta_1 \text{women's representation on a legislative body} \\ \text{leave} = \beta_0 + \beta_1 \text{wrep}$$

$$H_{1b}: \text{Leave policy} = \beta_0 + \beta_1 (\text{In}) \text{women's representation on a legislative body} \\ \text{leave} = \beta_0 + \beta_1 (1 / \text{wrep})$$

Hypothesis 2: Social Group Representation

$$H_{2a}: \text{Leave policy} = \beta_0 + \beta_1 \text{women's studies programs} \\ \text{leave} = \beta_0 + \beta_1 \text{wstudies}$$

$$H_{2b}: \text{Leave policy} = \beta_0 + \beta_1 \text{presence of NOW} \\ \text{leave} = \beta_0 + \beta_1 \text{now}$$

$$H_{2c}: \text{Leave policy} = \beta_0 + \beta_1 \text{social group representation} \\ \text{leave} = \beta_0 + \beta_1 \text{sgrep}$$

Hypothesis 3: Bureaucratic Representation

$$H_{3a}: \text{Leave policy} = \beta_0 + \beta_1 \text{bureaucratic representation} \\ \text{leave} = \beta_0 + \beta_1 \text{brep}$$

$$H_{3b}: \text{Leave policy} = \beta_0 + \beta_1 \text{administrative head} \\ \text{leave} = \beta_0 + \beta_1 \text{adminhead}$$

Hypothesis 4: Interaction between social group and descriptive representation<sup>177</sup>

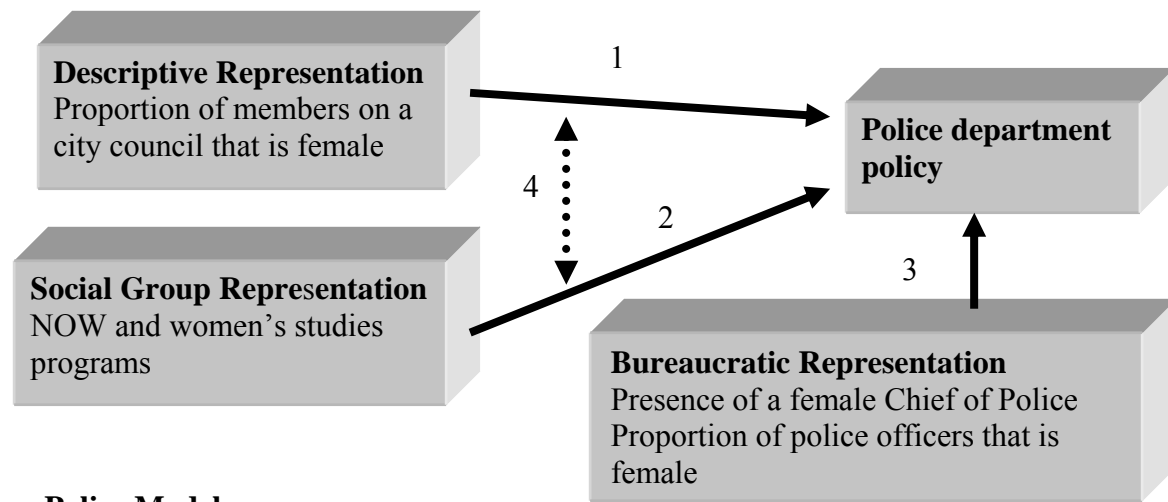
$$H_4: \text{Leave policy} = \beta_0 + (\beta_1 \text{social group representation}) * (\beta_2 \text{descriptive representation}) \\ \text{leave} = \beta_0 + \beta_1 \text{sgrep} * \beta_2 \text{wrep}$$

Note that Hypothesis 1<sub>b</sub> specifies an inverse function in which the reciprocal of women's representation on a legislative body is employed. In so doing, the possibility that a critical mass exists is examined by noting whether or not this variable is statistically significant in the analyses. An inverse function plateaus as the independent variable increases thereby modeling a critical mass. The relationship, while difficult to reproduce graphically in the figures below, will be tested by substituting descriptive representation for its inverse in each of the equations tested. All of the variables, with corresponding labels, are provided in full in Appendix D.

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<sup>177</sup> To properly test for an interaction, the independent variables, social group representation and descriptive representation, must be included in the analysis as well.

**Figure 6.2:** Determinants of family leave in police departments

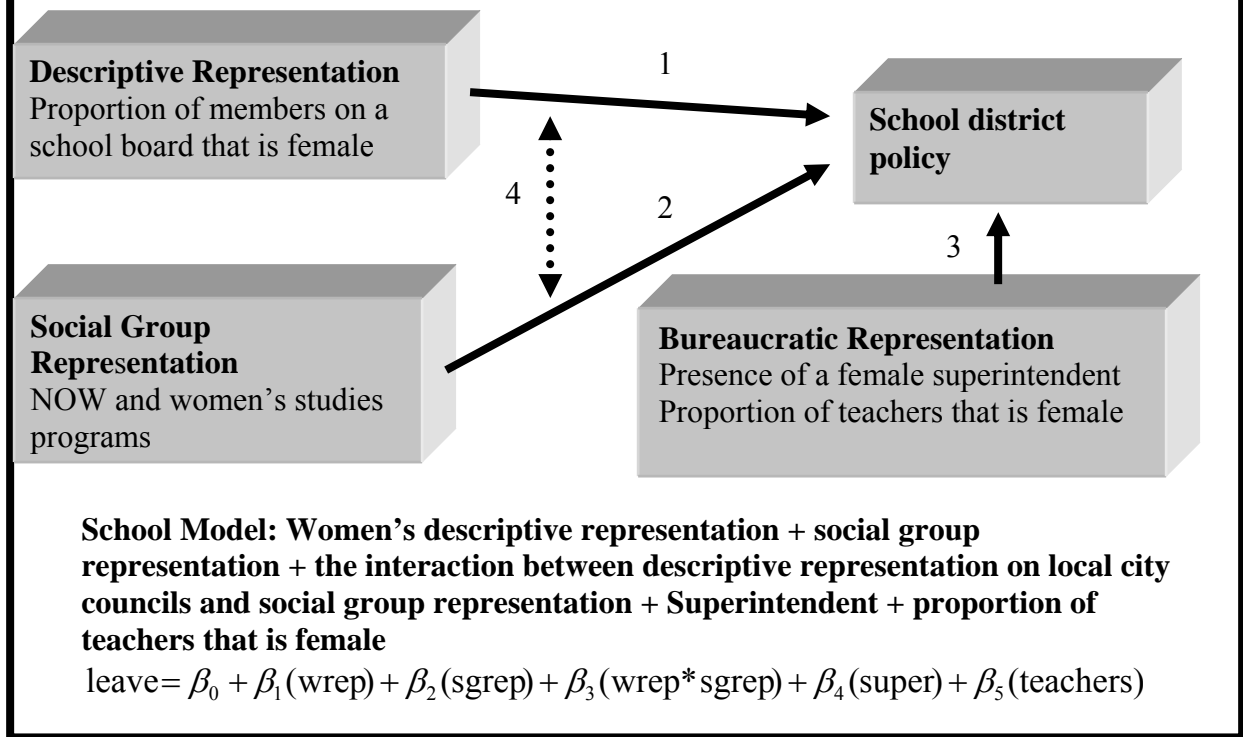


**Police Model:**

**Police Department Leave= Women's descriptive representation + social group representation + the interaction between descriptive representation on local city councils and social group representation + Chief of Police + proportion of police officers that is female**

$$\text{leave} = \beta_0 + \beta_1(\text{wrep}) + \beta_2(\text{sgrep}) + \beta_3(\text{wrep} * \text{sgrep}) + \beta_4(\text{chief}) + \beta_5(\text{wofficers})$$

**Figure 6.3:**  
Determinants of family leave in school districts



The discussion thus far concerning the dependent variable's level of measurement has centered on its ordinal nature. Indeed, the research contained herein is valuable precisely because of its cataloging of local policies, which have received little attention in academia. Unfortunately, the small samples limit the amount of meaningful information that can be gleaned from statistical analyses that take the variable's ordinal measure into consideration. Before proceeding with the analyses, therefore, the statistical treatment of the dependent variable is explained below. The statistical procedure ordered probit analysis (oprobit), which allows for the ordinal measurement of policy, is detailed first. Then, logistic regression analysis (logit) with a dichotomous dependent variable is offered as a practicable option to oprobit when the results of the latter test are not statistically significant. Both of these regression techniques treat police departments and school districts separately. However, as will be explained in the

conclusion of this section, a pooled analysis can remedy the small n problem thereby allowing for oprobit to be conducted.

Oprobit is the preferred method of analysis because it encompasses more of the variation in leave policy than does a two category dependent variable as required by logit. Police departments and school districts, respectively, will first be subject to oprobit analyses. Any oprobit model, which performs better than the logit model, will be reported in the text and accompanied by a table which provides the predicted probabilities, for any categorical movement in the dependent variable. Those models performing poorly will be reproduced in the Appendix E, but not in the body of this chapter.

For the logit analyses, the dependent variable is coded as: 0=FMLA (with or without restrictions) and 1=policy exceeds FMLA.<sup>178</sup> The following logit model is used for estimation and interpretation:

$$\text{Prob}(y = 1) = \Lambda(\beta_0 + \beta_{x \rightarrow})$$

$\Lambda$  = represents the logistic cumulative function

$\beta_0$  = represents the y intercept

$\beta_{x \rightarrow}$  = represents values of the independent variables

In order to interpret logit estimates, the probability of a successful outcome, or policy=1, is calculated and presented along with the significant findings. Specifically, the probability that a leave policy will exceed the minimum requirements established by FMLA (y=1) will be reported for all independent variables in the table. The percentages are the probabilities obtained after holding all other variables at their mean values. Two probabilities per variable will be provided. The first will be the probability that y=1 when the examined variable is set at its

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<sup>178</sup> Categories “1” and “2” in the ordinal measure are recoded as “0”, and categories “3”, “4”, and “5” are recoded as “1”.

lowest value. The second will be the probability that  $y=1$  when the examined variable is set at its highest value.<sup>179</sup> All variable distributions can be found in Appendix D.

The same hypotheses and analytical models (Figures 6.2 and 6.3) are tested, but the logit analysis presumably will facilitate better analysis due to the small number of observations for each agency (police department or school district). Note that for both models, the sample size will fluctuate due to missing observations on independent variables. These cases are automatically dropped in analysis. The logit analyses will report three post-estimations, the likelihood ratio chi-square, the Pearson chi-square goodness-of-fit, and the pseudo  $R^2$ , which will provide evidence of their efficacy.<sup>180</sup>

The pooled analysis, which will examine leave policies from police departments and school districts combined, will also test the hypotheses similarly. However, it will not distinguish between public agency type, treating all police departments and school districts simply as “public agencies”. The pooled analysis allows the dependent variable to retain its five-category level of measurement by effectively doubling the  $n$ . It also allows for an alternative method of testing the impact of gendered institutions on policy. A dummy variable for agencies is constructed, becoming itself a predictor of leave policy.

The model evaluating the determinants of leave policy in police departments is examined first without the control variables. Table 6.3, and each of the succeeding tables, presents the obtained coefficients, their levels of statistical significance, and the overall significance of the models. The findings of the oprobit and logit models are discussed in the order of the

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<sup>179</sup> In order to establish a baseline for comparison, the top of each table will report the predicted probability of  $y=1$  when *all* independent variables are held at their mean. Demaris (1992) points out that, when interpreting independent variables, odds ratios are preferable to predicted probabilities because they control for the other independent variables. Nonetheless, by comparing the predicted probabilities of each independent variable to the baseline probability of  $y=1$ , their impact can be better estimated.

<sup>180</sup> The Pearson chi-square goodness-of-fit estimation is not appropriate for ordered dependent variables and is therefore not reported for the oprobit analyses.



hypotheses. Then, control variables are added to the model so as to assess their explanatory contribution to departmental leave policies. This sequence is repeated for the model of family leave in school districts and, lastly, for the pooled analysis, which will be based on oprobit only.

## **Results**

### ***Police departments***

When the analysis of the police department policies is performed, the standard errors are larger in the logit model than the oprobit model (see Appendix E.1).<sup>181</sup> However, Table 6.3 illustrates that the coefficients are larger in the logit model and the overall model fit is superior to the oprobit, as demonstrated by the log likelihood ratio chi-square test, which yields a significant estimate ( $p < .001$ ). All tables for the analyses interpreted below, for police departments, can be found at the end of this section.

### ***Hypothesis 1: The effect of city councils***

Hypothesis 1 posits that descriptive representation on a legislative body will affect leave policy so that proportional increases in women city council members result in leave policies that exceed FMLA. Hypothesis 1<sub>a</sub> models this proposition as a linear relationship and the results of the logit analysis are illustrated in Table 6.3. Increases in the proportion of council members that is female will lead to increases in the probability of a leave policy that exceeds FMLA. Only in the logit model is the relationship between the proportion of city council members and policy comprehensiveness statistically significant, albeit weakly so ( $p < .10$ ). When all independent variables are held at their mean, the probability that a police department has a leave policy that exceeds FMLA is 14 percent. The predicted probabilities column illustrates that when women's representation is at its lowest (0), the probability of a leave policy exceeding FMLA is only 8

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<sup>181</sup> After recoding leave policies into dichotomous categories, 18.7 percent (38/203) of police departments were coded as equal to "1". The complete variable distribute of this variable (logit1) is provided in Appendix D.

percent. When women's representation is at its highest (1), the probability increases to 47 percent. This indicates that a city council comprised entirely of women increases the probability that a police department will have a leave policy that exceeds FMLA by 39 percentage points.

Hypothesis 1<sub>b</sub>, Table 6.4, suggests that there is a positive relationship between council members and policy, but that this relationship at some point levels off as the proportion of council members that is female increases.<sup>182</sup> Mathematically, this is modeled in a semi-log functional form in which the inverse of the variable is calculated. This specification also garnered minimal statistical support ( $p < .10$ ).<sup>183</sup> At its lowest value (-2.66), the predicted probability of  $y=1$  is 5 percent and at its highest value (0), the predicted probability is 35 percent.

#### *Hypothesis 2: The effect of social group representation*

Hypothesis 2 examines the effect of women's studies programs (2<sub>a</sub>) and the presence of NOW chapters (2<sub>b</sub>) on leave policies.<sup>184</sup> The results from the oprobit and logit models, the latter shown in Table 6.5<sub>b</sub>, do not support the hypothesis concerning the women's studies programs.<sup>185</sup> The coefficients for women's studies are insignificant in both the logit and oprobit models. However, the logit results reported in Table 6.5<sub>a</sub> indicate that the presence of NOW chapters positively affects police leave policies, thus supporting Hypothesis 2<sub>b</sub>. There is only an 8 percent probability of  $y=1$  when there are no NOW chapters in the city. However, there is a 25 percent probability when one or more NOW chapters are present.

Hypothesis 2<sub>c</sub>, (Table 6.3), purports that the additive effect of women's studies programs and NOW chapters, or social group representation, influences leave policy. The coefficient in

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<sup>182</sup> The oprobit model proved to be less significant than the logit model when the inverse of women council members is included (LR  $\chi^2=8.71$ ,  $p=.07$ ).

<sup>183</sup> For both the oprobit and logit models, the coefficient for police women is the only statistically significant variable at the .05 level. The logit model is statistically significant at the .01 level with a pseudo  $R^2=.14$ .

<sup>184</sup> The oprobit models, again the weaker of the two, are reproduced in Appendix B

<sup>185</sup> The oprobit model testing the effect of women's studies is statistically insignificant and therefore not reported in the Appendix.

the logistic regression is significant at the .03 level. At its lowest value (0), the probability of  $y=1$  is 8 percent and, at its highest value (2), the probability is 27 percent. As the results of Table 6.5 illustrate, the NOW variable itself might be more influential than the variable that also includes the presence of women's studies programs.<sup>186</sup>

*Hypothesis 3: The effect of bureaucratic representation*

Hypothesis 3 addresses bureaucratic representation (Table 6.3), proposing that the proportion of police officers that is women and the presence of a female Chief of Police will have a positive effect on policy comprehensiveness. The results of the logit model confirm the hypothesized direction and significance of the relationship between women police officers and leave policy. The probability of  $y=1$ , a leave policy that exceeds FMLA, is only 4 percent when there are no females in the police department. However, when the proportion of women in a police department is at its highest (.32), the predicted probability is 53 percent, a 49 percentage point increase from when there are no women in a department. The hypothesis appears to be substantiated by these results although the coefficient for women police officers is only weakly significant at the .10 level.

Female Chiefs of Police are expected to positively influence policy comprehensiveness, as stated in Hypothesis 3<sub>b</sub>. The statistical models (see Tables 6.4 and 6.5) do not support this contention, suggesting that women are no different than their male counterparts in this respect. In both models, the coefficients are statistically insignificant. This finding corroborates the literature that indicates women adopt much of their respective organization's gendered values as

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<sup>186</sup> Note, when women's studies is recoded such that "0" signifies no presence and "1" signifies presence of one or more programs, the coefficient remains statistically insignificant. The obtained coefficient and standard error is .8722(.5490) and the entire model is slightly more significant (11.42) with an obtained pseudo  $R^2$  of .10.

they gain hierarchical power (or perhaps as a result of a desire for such power).<sup>187</sup> Caution is advised in interpretation, however, because of the rather small number of sampled women who hold the position of Chief of Police.

*Hypothesis 4: Social group and descriptive representation as an interactive effect*

Finally, Hypothesis 4 suggests that leave policy is affected by the interactive relationship between social group representation and descriptive representation. No empirical verification is found for this proposed relationship. Table 6.6 displays both the original restricted police model (from Table 6.3) and the model that includes the interactive variable in order to demonstrate its effect, or lack thereof. The interaction term is not significant. Indeed, the variables for women council members and social group representation lose their significance when their interaction is included in the model. Only the women police officers variable retains its statistical significance across both models.

When the control variables are included in the police model (Table 6.7), large standard errors and insignificant coefficients plague the oprobit model (see Appendix E). However, scalar measures of fit support the use of the restricted model. In fact, the restricted model proved slightly more robust. For example, the BIC statistic for the restricted model (10.131) is smaller than that of the expanded model (42.204), which provides evidence that the restricted model can be used.<sup>188</sup> The problem might lie in the choice of control variables but, also likely is the small number of cases being exacerbated by the addition of numerous independent variables for which there are missing observations.

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<sup>187</sup> Future studies might consider adding other supervisory positions as variables to bolster the measure of administrative power women might hold in a police department. Adding the proportion of commanders and captains that are women, for example, might add more depth of understanding bureaucratic representation.

<sup>188</sup> See Long and Freese (2006).

The proportion of officers that is female and the social group representation variable retain their statistical significance in the expanded police model (Table 6.7). In this model, the predicted probability that  $y=1$ , in which all independent variables are held at their mean values, is only 7 percent. When there are no women in a police department, the probability drops to a 2 percent likelihood of a policy exceeding FMLA. However, when there is a high proportion of female officers in a police department (.32), the probability that  $y=1$  is 52 percent. For social group representation, the predicted probability that  $y=1$  when social group representation is low (0) is 4 percent and it is 15 percent when social group representation is at its highest value (2).

A police department's location in either California or Washington does not appear to positively affect the comprehensiveness of police leave policies. Surprisingly, the "liberalness" of the community is not significant either, as demonstrated by the non-significance of the variables accounting for bachelor's degrees and the Democratic presidential vote. Diagnostic tests suggest that the restricted model can be used. When the small sample size is taken into consideration, and the variables are examined individually, a few of the contextual factors do seem to matter to police department policies.

After the control variables are run independently, the grandparent and restricted state variables are found to be significant (see Tables 6.9<sub>a</sub> and 6.9<sub>b</sub>). The overall predicted probability, when all independent variables are held constant, that  $y=1$  for both the grandparent model and the restricted state model is 12 percent. When the proportion of grandparents caring for their grandchildren is at its lowest (0), the predicted probability that there is a leave policy that exceeds FMLA is 23 percent. When it is at its highest (.36), the predicted probability drops down to 1 percent. Turning to the state variable, Table 6.8 illustrates that when the state is anything but California or Washington, the probability of  $y=1$  is 11 percent, only slightly lower

than what would be expected if all the variables are held at their mean. When the state is California or Washington, the probability of  $y=1$  is 28 percent. However, the women police officer variable retains its significance across these models. In the state model, the probability of  $y=1$ , when the women police officer variable is set at its highest, is 60 percent.

### *Conclusion*

For the police department models, the standard errors of the coefficients, and maximum likelihood estimates, are large and the overall fit of the oprobit regressions are poor. Due to these complications, only logistic regressions are conducted. However, the logit models proved robust and significant. While this essentialism to logit seems crude from a theoretical perspective, the coefficients of the independent variables are found to impact the dependent variable similarly as the same coefficients in the oprobit models (see Appendix E). The binary measurement of the dependent variable, while overly simplistic, does seem to capture many of the hypothesized relationships. Only Hypothesis 4 received no support, but this was possibly due to the small sample size.

Descriptive representation when measured alone is significant in the restricted model (Tables 6.4 and 6.5) and when the interaction term is included (Table 6.6). However, it is weakly significant and lost significance when additional variables are added to the model. Thus Hypothesis 1, that descriptive representation on city councils positively influences leave policy, receives tentative support. Social group representation, as presented in Hypothesis 2, appears more influential on leave policy than descriptive representation does (See Tables 6.4, 6.6, and 6.7). Even in Table 6.7, when the control variables are added, does social group representation retain significance ( $p<.10$ ). NOW chapters, when examined separately from women's studies programs, are apparently predictive of leave policy more so than women's programs. The most

consistent predictor of leave policy was the proportion of women police officers, which remained significant in all of the models illustrated below. The likelihood of a police department offering comprehensive family leave appears, as expected, to be influenced by the proportion of its officers that is female.

*Police department regression results*

**Table 6.3**  
**Regression results from the restricted police model**

<b>(mean=14%)<sup>189</sup></b>	<b>Logit Model</b>	<b>Predicted probabilities</b>	
		<b>min.<sup>190</sup></b>	<b>max.<sup>191</sup></b>
Chief of police	-.3401(1.1642)	13%	39%
Women council members	2.3468(1.3363)*	8%	47%
Women police officers	.0909(.0497)*	4%	53%
Social Group Representation	.7142(.3394)**	8%	27%
Constant	-4.1494(.9175)***	--	--
LR chi2 <sup>192</sup>	13.57***		
Chi2 <sup>193</sup>	146.17		
Pseudo R <sup>2</sup> <sup>194</sup>	.12		
% correctly classified <sup>195</sup>	82.91% <sup>196</sup>		
n	117		

Note: \* =  $p < .10$ , \*\* =  $p < .05$ , \*\*\* =  $p < .01$ .  
Standard errors in parentheses.

<sup>189</sup> The mean value represents the predicted probability that a leave policy will be comprehensive when all independent variables are held at their means.

<sup>190</sup> "Min." refers to the predicted probability that a leave policy will be comprehensive when the independent variable is set at its lowest value.

<sup>191</sup> "Max." refers to the predicted probability that a leave policy will be comprehensive when the independent variable is set at its highest value.

<sup>192</sup> The likelihood ratio chi-square tests the likelihood that the model is different than the constant only model. If it is significant, it means the model specified is also significant. In determining the significance of the LR chi2 value, the criteria regarding significance cut off points established for the coefficients applies. See table note above.

<sup>193</sup> Expected responses are compared to observed responses by the Pearson chi-square goodness-of-fit. Insignificant values suggest that the model fits well.

<sup>194</sup> Pseudo R<sup>2</sup> statistics should be accompanied by other post-estimation statistics as they have received considerable criticism (see Aldrich and Nelson, 1984).

<sup>195</sup> This statistic reports the proportion of cases correctly predicted by the model.

<sup>196</sup> This model had a positive predictive value of 67% (meaning that the model predicted  $y=1$  when in fact  $y=1$ ) and a negative predictive value of 83% (percentage of times the model correctly predicted  $y=0$ ).

**Table 6.4**  
**Police model regression results for hypothesis1<sub>b</sub>**

	Logit Model	Predicted probabilities (mean=14%)	
		min.	max.
Chief of police	-.1958(1.1764)	14%	12%
Women council members (inverse)	.9054(.5381)*	5%	35%
Women police officers	.1090(.0553)**	5%	63%
Social Group Representation	.5340(.3497)	9%	23%
Constant	-2.2546(.9458)**		
LR chi2	11.62**		
Chi2	104.53		
Pseudo R <sup>2</sup>	.11		
% correctly classified	80.58% <sup>197</sup>		
n	117		

**Table 6.5<sub>a</sub>**  
**Police model regression results for Hypothesis 2<sub>a</sub>**

	Logit Model	Predicted probabilities (mean=14%)	
		min.	max.
Chief of police	.5748(.7972)	13%	41%
Women council members	2.0307(1.2740)	9%	42%
Women police officers	.1057(.0473)**	5%	61%
NOW chapters	1.2608(.5302)**	8%	25%
Constant	-4.0139(.8880)***	--	--
LR chi2	16.76***		
Chi2	126.97		
Pseudo R <sup>2</sup>	.12		
% correctly classified	81.25% <sup>198</sup>		
n	128		

<sup>197</sup> This model has a positive predictive value of 50% and a negative predictive value of 81.9%.

<sup>198</sup> This model has a positive predictive value of 80% and a negative predictive value of 81.3%.



**Table 6.5<sub>b</sub>**  
**Police model regression results for Hypothesis 2<sub>b</sub>**

	Logit Model	Predicted probabilities (mean=14%)	
		min.	max.
Chief of police	-.3163(1.1525)	15%	12%
Women council members	2.3482(1.2656)*	8%	49%
Women police officers	.1009(.0477)**	5%	60%
Women's Studies	.3261(.3979)	13%	22%
Constant	3.6225(.8138)***		
LR chi2	9.41**		
Chi2	113.47		
Pseudo R <sup>2</sup>	.08		
Correctly classified	82.20% <sup>199</sup>		
n	118		

**Table 6.6**  
**Police model regression results for Hypothesis 4<sup>200</sup>**

	Logit Model1	Logit Model2
Chief of police	-.4766(1.1453)	-.3401(1.1642)
Women council members	2.3468(1.3363)*	.6486(2.2609)
Women police officers	.0909(.0497)*	.0886(.0492)*
Social Group Representation	.7142(.3394)**	.1694(.6218)
Interaction	--	1.6496(1.6558)
Constant	-4.1494(.9175)***	-3.5673(1.0455)
LR chi2	13.57***	14.63***
Chi2	121.03	
Pseudo R <sup>2</sup>	.12	.13
Correctly classified	82.91% <sup>201</sup>	81.20% <sup>202</sup>
n	117	117

<sup>199</sup> This model has a positive predictive value of 50% and a negative predictive value of 82%. It seems that while the lack of women's representation either bureaucratically or descriptively, or the presence of women's studies, appears to aid in the prediction of less comprehensive policies, higher values on these variables do not necessarily mean that comprehensive policies will be put into place. That is, variables other than NOW chapters and women's studies programs are impacting comprehensive leave policy.

<sup>200</sup> Predicted probabilities are not reported for the second logit model as the interaction term is insignificant.

<sup>201</sup> The positive predictive value is 67% and the negative is 83%.

<sup>202</sup> This positive predictive value is 40% and the negative is 83%.

**Table 6.7**  
**Regression results from the expanded police model**

	Logit Model	Predicted probabilities (mean=7%)	
		min.	max.
Chief of police	-.7974(.1392)	7%	3%
Women council members	2.2337(1.5111)	4%	28%
Women police officers	.1239(.0548)**	2%	52%
Social Group Representation	.7131(.4028)*	4%	15%
Population dispersion	.00001(.0011)	7%	8%
Bachelors degrees	.0277(.0338)	4%	15%
Fertility rate	.0363(.0262)	2%	30%
Grandparents	-10.6371(6.5742)	14%	1%
State1 (restricted)	1.0610(.7577)	6%	6%
State2 (inclusive)	--1.4075(1.4931)	7%	7%
Vote for Dem. Candidate	.0082(.0288)	7%	7%
Constant	-6.9929(2.5464)	--	
LR chi2	22.52**		
Chi2	132.52** <sup>203</sup>		
Pseudo R <sup>2</sup>	.22		
% correctly classified	84.21% <sup>204</sup>		
n	114		

**Table 6.8<sub>a</sub>**  
**Controlling for significant contextual effects in the police model**

	Grandparents	Predicted probabilities (mean=12%)	
		min.	max.
Chief of police	-.5621(1.1760)	12%	7%
Women council	1.1990(2.3552)	6%	55%
Women police	.0982(.0508)*	4%	53%
Social group	.2431(.6475)	6%	25%
Grandparents	-9.8099(5.9108)*	23%	1%
Constant	-3.7988(1.0871)***	--	--
LR chi2	17.75***		
Pseudo R <sup>2</sup>	.16		
% correctly classified	83.62%		
n	116		
Chi2	107.99		

<sup>203</sup> A significant Pearson chi-square statistic, meaning that the model might be fit poorly, is possibly the result of a higher number of independent variables, causing a degree of multicollinearity which drives the statistic upward (<http://www.brynmawr.edu/Acads/GSSW/Vartanian/Handouts/Logit%20Stata.pdf>, last referenced July 5, 2008.)

<sup>204</sup> The positive predictive value is 63.64% and the negative is 86.41%.

**Table 6.8,  
Controlling for significant contextual effects in the police model**

	State Model	Predicted probabilities (mean=12%)	
		min.	max.
Chief of police	-.3873(1.1809)	13%	8%
Women council	.3002(2.2901)	7%	39%
Women police	.1076(.0518)**	4%	60%
Social group	.0877(.6211)	7%	23%
State1 (restricted)	1.2122(.7087)*	11%	28%
Constant	-5.9321(1.8508)***	--	--
LR chi2	17.42***		
Chi2	108.14		
Pseudo R <sup>2</sup>	.16		
% correctly classified	82.05%		
n	117		

### *School districts*

The results of the school model, provided in Table 6.9, suggest that school districts are affected differently by the independent variables than police department policies. The model statistics are inconclusive as the LR chi2 suggests that the model as a whole is insignificant and the Pearson chi2 suggests that the model is a good fit. Despite having a larger n, logistic analysis is still found to be more appropriate to statistical analysis because the oprobit model is again statistically insignificant.<sup>205</sup> Subsequent to the preceding discussion of the results, the tables are presented at the conclusion of this section.

### *Hypothesis 1: The effect of school boards*

Not surprisingly given a more equal distribution of the dependent logit variable (see footnote 52), the predicted probability for the restricted model, and all other models involving school districts, is much higher than its equivalent police department model.<sup>206</sup> When all variables are held at their mean, the probability of a school district having a policy that exceeds

<sup>205</sup> Close to half, 46.1 percent (89/193), of school districts are coded as “1”.

<sup>206</sup> The police department restricted model (Table 6.3) reports a predicted probability of 14 percent when all independent variables are held at their means.

FMLA is almost 50 percent. Hypothesis 1<sub>a</sub> as with police department policies receives support, but Hypothesis 1<sub>b</sub> does not (for either logit or oprobit analysis). Table 6.9 contains the results of the logit analysis for Hypothesis 1<sub>a</sub>. The effect of board composition is significant, as indicated by the obtained coefficient ( $p < .10$ ). When board membership is all male, the probability of  $y=1$  is 41 percent. When board membership is all female, the probability of  $y=1$  is 59 percent. The gender composition of the school board seems to positively affect the likelihood of a leave policy that exceeds FMLA, but there is no evidence found for a critical mass as the inverse of the school board variable is insignificant.

*Hypothesis 2: The effect of social group representation*

Hypothesis 2 is not supported by the results. The coefficient for social group representation, presented in Table 6.9, is insignificant. As Table 6.10 illustrates, replacing the individual components of social group representation, NOW chapters and women's studies, for its aggregate measure yields similar results. No support for either Hypothesis 2<sub>a</sub> or 2<sub>b</sub> was found and the models as a whole remain insignificant.

*Hypothesis 3: The effect of bureaucratic representation*

Hypothesis 3 does not receive support either (see Table 6.9). Women are already well-represented in the ranks of teachers, most likely causing further additions to be inconsequential to policy in comparison to when police departments gain more women police officers. More importantly, norms of bureaucratic appropriateness concerning maternity leave are more entrenched in public schools and isolated from criticism precisely because of their status as a "women's" institution. When the variable of the proportion of kindergarten and elementary school teachers that is female is substituted for teachers overall, it gains statistical significance in the oprobit, but not the logit model. This suggests that the oprobit model might be better at

capturing some nuances in leave policies. Presenting the results of the oprobit, Table 6.11 illustrates that the proportion of kindergarten and elementary teachers that is female seems to negatively affect leave policy.<sup>207</sup> The variable coefficient is weakly significant ( $p < .10$ ). This being the most over-represented level of teaching in public schools, the argument that schools might not be as feminist as previously believed receives some support (see Chapter 4). Still, social group representation, the only other significant variable in the model, appears to be more influential ( $p < .05$ ) when controlling for grade level.

*Hypothesis 4: Social group and descriptive representation as an interactive effect*

Hypothesis 4, which posits an interactive relationship between social group representation and descriptive representation, was not substantiated for school boards (see Table 6.12). When this variable is included in the model, it achieves significance but, contrary to the hypothesis, it exerts a negative impact on leave policy.<sup>208</sup> The predicted probability that  $y=1$  for this model is 49 percent. When the interaction term is at its lowest (0), indicating no social group or descriptive representation, the probability that  $y=1$  is 71 percent. When it is at its highest (1.78), the probability that  $y=1$  is only 4 percent. Perhaps a community with high social group representation will experience a conservative backlash.<sup>209</sup> Higher proportions of female board members might actually be indicative of a more conservative community which values public schools as a female institution.<sup>210</sup>

When the contextual variables are included, both the oprobit and the logit models prove to be statistically significant and are therefore reported in tandem in Table 6.13. For both

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<sup>207</sup> For comparative purposes, the restricted school model is run in oprobit.

<sup>208</sup> This is not the case in the oprobit model. See Appendix E.4.

<sup>209</sup> As previous chapters have pointed out, the business community seems to protest when a political push for more comprehensive leave policies is made.

<sup>210</sup> Chapter 4 pointed out that male school board members might actually be more liberal generally than female members.

models, board composition, social group representation, and their interactive term are statistically significant. It must be pointed out that when the interactive term is excluded from the analysis, the coefficients for board composition and social group representation are insignificant. The predicted probability that  $y=1$  is 51 percent when all variables are placed at their mean, similar to that of the restricted model, which is 49 percent. Out of the control variables, only the district's location in California or Washington is significant across both models. When a school district is in a state other than California or Washington, the probability of it having a leave policy that exceeds FMLA is 42 percent. This probability, in California or Washington school districts with a leave policy that exceeds FMLA, is 90 percent.

Table 6.14<sub>a</sub> reports the results of the oprobit model, including the effect of the restricted state variable, in order to obtain the advantages of oprobit analysis, which allows for more detail in examination of the dependent variable. The predicted probabilities will be reported below the regression results in Table 6.14<sub>b</sub>. As evidenced in the logit results, the restricted state variable is again highly significant indicating that when a school district is located in either California or Washington, the probability that it will have a leave policy that exceeds FMLA is 95 percent.

The columns display the results of the percent increase in predicted change for each of the categories when varied from their highest to their lowest value (variable distributions given in Appendix E). The predicted probabilities are calculating by varying only one variable of interest at a time, holding all other variables constant at their means. All things being equal, social group representation seems to have the most impact on policies that simply refer to FMLA (or FMLA with the spousal exception). When social group representation is equal to 0, there is a 44 percent probability that a school district will rely on FMLA with the spousal exception and a 27 percent probability that it will rely on FMLA without the spousal exception. When social

group representation is equal to 2, the highest level, there is only a 7 percent probability that a school district will rely on FMLA with the spousal exception and a 15 percent probability of FMLA only. On the other hand, the possibility of a school district offering leave time that exceeds FMLA by up to a year of unpaid leave, is 26 percent when social group representation is equal to 0, but 77 percent when social group representation is at its highest, 2.<sup>211</sup>

When a school district is located in either California or Washington, the probability of a school district offering teachers the most minimal of leave benefits, category 1, is 5 percent. When the state variable is not taken into consideration, the probability is 28 percent. Similarly, the probability of a school district offering FMLA only, category 2, is 27 percent, but it is 14 percent when the school district is in California or Washington.<sup>212</sup> Even so, the consequence of including California or Washington is dramatic. There is a 79 percent probability that the district will allow up to a year of unpaid leave if that school district is in California or Washington. From the descriptive results in Chapter 4, these findings are not surprising, especially for California. Clearly, California state policy impacts California state school district policies.

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<sup>211</sup> Even with the oprobit model's satisfactory performance, there is evidence that a logit analysis might still be preferable to oprobit analysis. There is a small number of policies that fall into the "4" and "5" category of leave. The predicted outcomes for these two categories are unconvincing.

<sup>212</sup> Many school districts allow up to a year of leave for teachers, as demonstrated by the 44 percent probability when state location is removed from the analysis.

## *School District Regression Results*

**Table 6.9**  
**Regression results from the restricted school model**

	Logit Model	Predicted probabilities (mean=49%)	
		min.	max.
Superintendent	.2245(.2923)	47%	53%
Board members	.7067(.711)*	41%	59%
Teachers	-2.3312(1.9805)	43%	51%
Social Group Representation	.1332(.1640)	46%	53%
Constant	-.7225911	--	--
LR chi2	3.37		
Chi2	229.14		
Pseudo R <sup>2</sup>	.01		
% Correctly Classified	50.82% <sup>213</sup>		
n	244		

**Table 6.10**  
**Regression results for Hypothesis 2<sup>214</sup>**

	NOW chapters	Women's studies
School superintendent	.2259(.2929)	.2171(.2918)
Women board members	.6271(.7052)	.8502(.6926)
Women teachers	-2.2542(1.9759)	-2.2677(1.9802)
NOW chapters	.3568(.2720)	--
Women's Studies	--	.0478(.1926)
Constant	-.7158(.5787)	-.7112(.5753)
LR chi2	4.43	2.77
Chi2	225.11	230.19
Pseudo R <sup>2</sup>	.01	.01
Correctly classified	57.38% <sup>215</sup>	52.87% <sup>216</sup>
n	244	244

<sup>213</sup> The positive predictive value is 50.41% and the negative is 51.22%.

<sup>214</sup> The variables of interest, NOW chapters and women's studies programs, did not reach statistical significance and therefore predicted probabilities are not reported.

<sup>215</sup> The positive predictive value is 57.39% and the negative is 57.36%.

<sup>216</sup> The positive predictive value is 52.54% and the negative is 52.17%. It seems that while the lack of women's representation either bureaucratically or descriptively, or the presence of a women's studies program, appears to aid in the prediction of less comprehensive policies, higher values on these variables do not necessarily mean that comprehensive policies will be put into place.



**Table 6.11**  
**The effect of kindergarten and elementary school teachers**

	Teacher Model	Kindergarten Model
Superintendent	.2492(.2154)	.2513(.2154)
Board members	.8466(.7956)	.8430(.7962)
Teachers	-1.7057(1.3561)	--
Kindergarten and elementary	--	-2.0684(1.2220)*
Social Group Representation	.6397(.3040)**	.6107(.3045)**
Interaction	-.8530(.6296)	-.8102(.6298)
LR chi2	10.47*	11.77**
Chi2		
Pseudo R <sup>2</sup>	.03	.03
n	133	133

**Table 6.12**  
**School model regression results for Hypothesis 4**

	Logit Model	Predicted probabilities (mean=49%)	
		min.	max.
Superintendent	.2147(.3056)	48%	52%
Board members	3.1733(1.1648)***	22%	82%
Teachers	-2.4672(1.051)	70%	36%
Social Group Representation	1.2752(.4491)***	25%	80%
Interaction <sup>217</sup>	-2.5479(.9056)***	71%	4%
Constant	-1.7214(.6927)**	--	
LR chi2	11.58**		
Chi2	218.50		
Pseudo R <sup>2</sup>	.04		
% Correctly Classified	56.03% <sup>218</sup>		
n	232		

<sup>217</sup> This represents the multiplicative effect between women's representation on the school board and social group representation.

<sup>218</sup> The positive predictive value is 55.20%, and the negative is 57.01%.

**Table 6.13**  
**Regression results from the expanded school model**

	Oprobit model	Logit model	Predicted probabilities (mean=51%)	
			min.	max.
Superintendent	.0327(.1671)	-.0414(.3447)	51%	50%
Board members	2.3476(.6073)***	4.2868(1.3273)***	16%	90%
Women teachers	-.0554(.3202)	.9575(2.0378)	39%	59%
Sgrep	.9613(.2480)***	1.7254(.5373)***	21%	87%
Interaction	-1.9132(.4840)***	-3.6731(1.0567)***	79%	1%
dispersion	.0004(.0002)	-.0005(.0006)	51%	50%
Bachelors degrees	-.0037(.0080)	-.0156(.0164)	60%	22%
Fertility rate	-.0071(.0052)	.0169(.0108)	67%	26%
Grandparents	-1.1267(1.1062)	-1.8422(2.3179)	55%	34%
State1 (restricted)	1.1267(.2192)***	2.7642(.6788)***	42%	90%
State2 (inclusive)	.3551(.2604)	.3698(.5230)	50%	58%
Party	.0157(.0095)	.0238(.0188)	37%	66%
Constant	--	-1.2306(1.8731)	--	--
LR chi2	50.92***	47.9***		
Pseudo R <sup>2</sup>	.08	.15		
n	224	224 <sup>219</sup>		
Chi2	--	230.09		

**Table 6.14<sub>a</sub>**  
**The California/Washington effect**

	Oprobit model	Logit model	Predicted probabilities (mean=68%)	
			min.	max.
Superintendent	.0017(.1614)	.0640(.3301)	68%	68%
Board member	2.3007(.5995)***	4.2828(1.3108)***	30%	95%
Women teachers	-.1236(.3154)	.9771(2.1937)	59%	73%
Sgrep	.9033(.2335)***	1.6144(.4999)***	38%	93%
Interaction	-1.7171(.4685)***	-3.3613(1.0141)***	88%	3%
State1 (restricted)	1.0571(.2087)***	2.9052(.6680)***	60%	95%
Constant	--	-2.9263(1.6176)*	--	--
LR chi2	43.01***	44.97		
Pseudo R <sup>2</sup>	.07	.14		
n	232	232 <sup>220</sup>		
Chi2	--	223.77		

<sup>219</sup> 68.30% correctly classified (71.13% positive predictive value, 66.14% negative).

<sup>220</sup> 66.81% correctly classified (73.75% positive predictive value, 63.16% negative).

Table 6.14 <sub>b</sub> Predicted probabilities for school leave policy							
Variable	$\Delta$	$\Delta$ mean	1	2	3	4	5
Super	0 $\rightarrow$ 1	2.202%	-4%	-1%	6%	0.01%	0.001%
Wrep***	$\Delta$ range	19.312%	-36%	-10%	49%	-0.78%	-0.78%
Brep	$\Delta$ range	0.6%	-1%	1%	-1%	0.00%	0.00%
Srep***	$\Delta$ range	19.81%	-37%	-12%	49%	-0.01	-0.01%
Inter***	$\Delta$ range	24.41%	57%	-3%	-62%	0.03%	.04%
state1***	0 $\rightarrow$ 1		-23%	-13%	36%	0.00%	0.00%

Note: 0 $\rightarrow$ 1 is the discrete change from 0 to 1 whereas  $\Delta$ range is the change from the minimum to the maximum value of an independent variable. The average amount of change is depicted by  $\Delta$ mean.

### *Pooled oprobit results*

The most important consideration in pooling the data for school districts and police departments was the desire to conduct oprobit analysis, which is facilitated by a larger sample size, which in the pooled analysis is 406. The pooled analysis also allows for a more direct comparison of city versus agency level effects. The police and school models purport that the effect of the independent variables will be constant across cities. To control for the possibility that the independent variables affect policies in agencies differently, as well as to justify the use of separate analyses for schools and police departments, a type of multilevel latent variable model, a graded response model, is run. The GLLAM (Generalized linear latent and mixed models) program allows for the construction of “levels” (Rabe-Hesketh, Skrondal, and Pickles, 2004). In this case the five category leave variable is identified as level one and the agency, police department or school district, is level two.<sup>221</sup> The model examines whether or not the agency has any nonrandom effects on leave policy.<sup>222</sup> The most beneficial aspect of this model is that it allows more effective testing (with robust standard errors) of the dependent variable, as

<sup>221</sup> A third level was attempted by adding city, thereby distinguishing between agencies within cities and then allowing the comparison between cities. Unfortunately, the program was not able to run this particular configuration. The analysis examined an n of 406 agencies nested in 203 cities.

<sup>222</sup> The agency specific variables then become generic and coded the same. The dependent variable simply becomes “agency policy” whereas the agency-specific independent variables become, as stated in the hypotheses, bureaucratic representation, political representation, and administrative representation.

a multi-categorical variable. All regression results discussed below are reported at the end of the section.

*Hypothesis 1: The effect of descriptive representation*

The results are displayed in Table 6.15. The variance and covariance of random effects from the GLLAM models are small, meaning that the independent variables have a comparable effect on police departments and school districts. Rabe-Hesketh, Skrondal, Pickles do not give specific guidance in interpreting the condition index stating only that smaller numbers generally signify better specified models.<sup>223</sup> The results from the restricted GLLAM models provide more support for the hypotheses. First, Hypothesis 1<sub>a</sub> gains support in that political representation on local legislative bodies is highly significant in the models with and without control variables. Above all, the effect of the control variables appear to be better captured by the GLLAM analysis and will be explained in more detail following a discussion of the implication of these results for the hypotheses.

*Hypothesis 1: The effect of descriptive representation*

Hypothesis 1<sub>b</sub>, concerning a threshold effect for women's representation on legislative bodies, has support within Table 6.16 as it is highly significant in both the model with control variables and without ( $p < .01$ ). Bureaucratic representation loses its significance altogether when this variable is included. This might indicate that women's representation in the ranks of teachers and police officers ceases to be as influential as women's representation on local legislative bodies increases. Future studies should consider modeling this relationship, in particular, in conjunction with social group representation.

*Hypothesis 2: The effect of social group representation*

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<sup>223</sup> See page 20 (<http://www.bepress.com/cgi/viewcontent.cgi?article=1160&context=ucbbiostat>, last referenced May 21, 2008).

Hypothesis 2, asserting the impact of social group representation, again achieves statistical support, at least in the restricted models without control variables ( $p < .01$ ). When the control variables are included, social group representation loses statistical significance. When the components of social group representation are examined separately, illustrated in Table 6.17, a few discrepancies surface. The gender composition of the workforce is notably no longer significant when women's studies programs are added to the model. Political representation is no longer statistically significant when NOW is substituted for social group representation. Both Hypothesis 2<sub>a</sub> and Hypothesis 2<sub>b</sub> are substantiated; women's programs and NOW chapters are individually significant in their impact on leave policy, but their effects on the overall model are clearly different. This might signify that both variables represent different aspects of the women's social movement, validating their utility as a combined social group representation variable.

Table 6.17 illustrates that when these variables are included in the analysis, the impact of the bureaucratic and political variables on leave policy change dramatically. As noted earlier, women's studies programs might affect leave policy in communities where women's political representation is high. Legislative bodies' communication with the academic community might be more pronounced than communication with NOW. The gender composition of agencies might be more important in communities with active NOW chapters as a result of NOW's more grassroots approach to women's rights. These results might also explain why the interactive variable between social group representation and political representation is consistently insignificant. Political representation and NOW might be less concordant in certain contexts just as women's studies programs might be immaterial in other contexts. As the previous results have suggested, the institutional culture, and its interaction with extraneous social and political

variables, is important. Again, the results of the GLLAM analysis suggest that the cities themselves do not provide a special context, but the gendered environments of the police departments and school districts do. Hypothesis 2 seems to lose significance when the control variables are added. This might be due to the effect of the state's policy overshadowing the effect of social group representation. However, as will be seen in Table 6.19, social group representation is highly significant when the control variables are assessed individually.

*Hypothesis 3: the effect of bureaucratic representation*

The gender composition of the work force remains statistically significant in most of the models, providing support for Hypothesis 3<sub>a</sub>. Table 6.15 illustrates that bureaucratic representation is significant in the model without the control variables ( $p < .05$ ), and highly significant in the model with control variables ( $p < .01$ ). Hypothesis 3<sub>b</sub>, which posits that the gender of the head of administration will affect leave policy, is not supported in the model without control variables. Unexpectedly, Hypothesis 3<sub>b</sub> gains support when the control variables are added ( $p < .01$ ). The gender of the administrative head (either Superintendent or Chief of Police) appears to impact the comprehensiveness of leave policy positively, when contextual variables are taken into consideration.

*Hypothesis 4: Social group and descriptive representation as an interactive effect*

Not unlike the previous results, Hypothesis 4, positing an interaction between social group and political representation, is not supported revealed in Table 6.18. Bureaucratic representation, which was not significant in the restricted model in Table 6.15, is significant in the model with the interactive variable.

Table 6.19 displays the result when the significant control variables are entered in separately (state1, state2, and grandparents). As seen below, administrative head loses its

significance suggesting that environmental variables are more important. It might be that environmental variables impact the gender of an administrative head, but that gender alone is not a determinant of comprehensiveness in this case, as well as in the preceding analyses. In these analyses, the proportion of females on the job is a significant determinant of more comprehensive leave policies, as indicated by the statistically significant coefficients. Social group representation remains highly significant ( $p < .001$ ) in all three models.

The findings reported in Table 6.15 are similar to the findings of the separate agency-specific models, but the relationships posited by the hypotheses gain more support. The proportion of grandparents caring for their children's children exerts a significantly negative impact on leave comprehensiveness, like it did in the school model. However, note that the condition number is much larger than for the other two, indicating that the model itself might not be as robust. The agency's state location also continues to exert an impact, as agencies located in Washington or California are likely to have higher levels of leave comprehensiveness. The other states, identified by the DOL as more generous, also exerted a positive effect on leave policy. In the terms of the relationships revealed in this analysis, these states do not differ from many of the other states. Leave time, for example, is no more generous in Wisconsin (a DOL identified state) than Louisiana, which does not have a state leave policy.<sup>224</sup> The fact that these states exceed the federal mandate, even in some small way, might be construed as evidence of the women's movement's presence.<sup>225</sup> These results suggest that the overall social environment of these states appears to be more conducive to leave more generous leave policies than that of other states.

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<sup>224</sup> <http://www.dol.gov/esa/programs/whd/state/fmla/index.htm>, last referenced July 5, 2008.

<sup>225</sup> For example, Maine, another DOL identified state, is more comprehensive in that it relaxes the 50 employee requirement to 25, but this type of coding decision is not figured into this study (<http://www.dol.gov/esa/programs/whd/state/fmla/me.htm>, last referenced May 21, 2008).

*Assessing the effect of gendered institutions through pooled analysis*

Finally, to assess in another statistical manner the proposition that agency culture might have an effect on leave policy, an agency dummy variable is constructed (0=police departments, 1=school districts). Again, the city agencies are pooled but the agency dummy variable is added to evaluate its potentially predictive capacity. The results thus far suggest that there are possible cultural differences between police departments and schools, accounting for the difference in relationships observed. Similar patterns emerge, as seen in Table 6.19, but the joining of these two institutions masks some of the more important relationships observed from separate analysis. Statistically insignificant coefficients suggest that organizational features are influencing the results, but that simply knowing the identity of the organization is not sufficient. The very fact that social group representation remains a predictor of policy validates its construct as an important variable and provides some evidence that the women's movement is a variable of considerable import.

As with the police and school models, the significant contextual variables are first included in full and then examined separately to assess their independent impact on leave policies. Unfortunately, for the GLLAM results as well, the obtained coefficients are largely insignificant. The restricted state variable is the only one consistently significant across the two models. Because the logit model is the more robust of the two, the results of the one regression that yielded a statistical significant control variable, which is the state1 variable, is illustrated in Table 6.21.<sup>226</sup> Social group representation and the California/Washington variable positively affect leave policies in this model, but agency does not.

The most important finding of these analyses was that the agency identification variable was insignificant. Knowledge regarding whether an agency is a police department or school

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<sup>226</sup> Oprobit model: LR chi2=36.31\*\*\*, pseudo R<sup>2</sup> = .05. Logit model: LR chi2=53.83\*\*\*, pseudo R<sup>2</sup> = .17.



district does not appear to aid in the prediction of policy comprehensiveness. In other words, police departments are just as likely to have comprehensive policies as school districts are, other things being equal.<sup>227</sup> It seems that to gain an understanding of an organization's leave policy, the organizations themselves must be included in analysis. Police departments seem more impervious to the effects of social group representation, at least directly, than school districts are. On the other hand, the proportion of women police officers appears more consequential to comprehensive leave policy than the proportion of women teachers.

*Pooled data regression results*

**Table 6.15**  
**GLLAM regression results**

	Model without controls	Model with controls
Bureaucratic Representation	.0040(.0017)**	.0045(.0011)***
Administrative representation	.1696(.1951)	.2059(.0782)***
Political representation	.3115(.1147)***	.2717(.0537)***
Social Group representation	.2409(.0001)***	.1657(.1401)
Population dispersion	--	.0001(.0003)
Population	--	-.0010(.0009)
Bachelors degrees	--	.0023(.0185)
Fertility rate	--	.0036(.0053)
Grandparents	--	-1.8591(.0113)***
Democratic candidate	--	-.0568(.0329)*
State1 (restricted)	--	.7204(.3061)***
State2 (inclusive)	--	.3180(.0569)***
Unit Levels (1, 2)	(249, 2)	(233,2)
Log likelihood	-336.73677	-320.08184
Condition Number	332.67287	7262.2621
Variance	1.233e-21 (5.173e-17)	1.417e-19 (2.105e-15)

<sup>227</sup> This is in reference to the logit model. Police departments are probably not as likely to have partially paid leave like some school districts do, but the results of the oprobit are inconclusive, probably due to sample size. Still, the distributions of the oprobit dependent variables are almost equal between schools and police departments whereas their logit variable distributions are not (see Appendix D).

**Table 6.16**  
**Testing for a critical mass**

	Model without controls	Model with controls
Bureaucratic Representation	.0035(.0021)	.0039(.0015)***
Administrative representation	.1615(.1854)	.2164(.0371)
Wrep (inverse relationship)	-.0271(.0053)***	-.0240(.0036)***
Social Group representation	.1994(.0400)***	.1323(.1523)
Population dispersion	--	.0002(.0004)
Bachelors degrees	--	.0019(.0175)
Fertility rate	--	.0026(.0047)
Grandparents	--	-2.0424(.2174)***
Democratic Candidate	--	-.0609(.0281)**
State1 (restricted)	--	.7247(.2863)***
State2 (inclusive)	--	.3487(.1029)***
Unit Levels (1, 2)	(233, 2)	(227, 2)
Log likelihood	-319.9828	-303.10181
Condition Number	355.91968	7477.5458
Variance	2.983e-20 (2.530e-17)	6.165e-18 (9.689e-15)

**Table 6.17**  
**GLLAM results for the impact of NOW and women's studies programs**

	Women's studies	NOW chapters
Bureaucratic Representation	.0032(.0020)	.0036(.0012)***
Administrative representation	.1671(.1596)	.2386(.0963)***
Political representation	.4728(.0037)***	.1030(.1321)
Women's studies programs	.1042(.0066)***	--
NOW chapters		.5377(.0429)***
Unit Levels (1, 2)	(251, 2)	(270,2)
Log likelihood	-342.7987	-371.39963
Condition Number	329.38867	329.69198
Variance	1.181e-18 (1.275e-15)	9.362e-22 (7.355e-17)

**Table 6.18**  
**GLLAM results for Hypothesis 4**

	Model 1
Bureaucratic representation	.0042(.0015)***
Administrative representation	.1624(.0042)
Political representation	.5944(.1414)***
Social group representation	.3532(.1178)***
Interactive Variable	-.3028(.2581)
Unit Levels (1, 2)	249(2)
Log likelihood	-336.4536
Condition Number	554.4436
Variance	1.030e-22(3.042e-18)

**Table 6.19**  
**Controlling for significant contextual effects in the GLLAM model**

	State2(expanded)	State1(restricted)	Grandparents
brep	.0040(.0017)**	.0047(.0016)***	.0039(.0016)**
adminhead	.1728(.2019)	.1098(.1663)	.1995(.2328)
wrep	.3074(.1272)**	.2397(.0164)***	.3610(.1998)*
sgrep	.2409(.0015)***	.2250(.0014)***	.2531(.0069)***
grand	--	--	-2.0365(.1099)***
State1	--	.7284(.3006)**	--
State2	.2317(.0862)***	--	--
Levels	(249, 2)	(249, 2)	(245, 2)
Log L.	-336.25432	-330.97249	-330.35402
Condition	333.60443	333.54421	847.70501
Variance	5.483e-22(1.967e-17)	1.376e-20(4.843e-17)	2.197e-21 (6.686e-17)

The results from the GLLAM analyses suggest that, when comparing school districts to police departments, bureaucratic and contextual factors should be taken into consideration. The results also indicate that knowing the location of the public agency does not help predict leave policy comprehensiveness. Figure 6.4 displays the city pairings of school districts and police departments, illustrating the inconsistencies across cities in policies. Only 26.0 percent (50/193) of the cities examined have police departments and school districts with matching leave policies.

**Figure 6.3****Distribution of school district and police department leave policies within cities**

<b>School District Policies</b>						
<b>Police Policies</b>	FMLA with spousal limitation	FMLA	Unpaid leave up to a year	More than a year leave	Paid leave	Row Totals
FMLA (with spousal limitation)	11 5.7%	15 7.8%	15 7.8%	2 1.0%	2 1.0%	45 (23.3%)
FMLA	30 15.5%	32 16.6%	36 18.7%	14 7.3%	1 0.5%	113 (58.5%)
City policy and unpaid leave up to a year	2 1.0%	4 2.1%	3 1.6%	1 0.5%	1 0.5%	11 (65.7%)
Police department policy (light duty)	2 1.0%	1 0.5%	6 3.1%	4 2.1%	--	13 (4.7%)
Police policy (light duty and leave time in excess of FMLA)	--	3 1.6%	5 2.6%	3 1.6%	--	11 (6.7%)
Column Totals	45 (23.3%)	55 (28.5%)	65 (33.7%)	24 (12.4%)	4 (2.1%)	193 (100.0%)

Note: Only those cities which have verified leave police department and school district policies are used in the above cross-tabulation resulting in an n=193.

Figure 6.4 illustrates that, in general, school district policies are more comprehensive than police department policies, but there are some incongruities in this assertion. On the one hand, in four of the cities examined (2.1 percent), paid leave policies are found in school districts whereas police departments do not have a leave policy at all. Conversely, in three cities (1.6 percent), police departments reported having their own policy along with provisions that exceeded a light duty provision but, in those cities, only FMLA was relied upon as the official leave policy for the school district. Clearly, institutional factors are affecting the relationship between the independent and dependent variables.

Unfortunately, the variable indicating the proportion of police officers that is female had a lot of missing cases. The very fact that it performed as well as it did suggests that the relationship between it and leave policy is sizeable. If more data are obtained, the relationship

could be more adequately controlled for and the explanation of how leave policies are distributed between school districts and police departments would arguably be improved upon.

### ***Conclusions and recommendations for future research***

The predictive strength of social group representation wavered in a few of the models yet, overall, Hypothesis 2 appears to have gained the most support. Social group representation, as a variable and as an operational construct for the women's movement, seems to be an important determinant of leave policy that should continue to be explored. For police departments, social group representation is seemingly more influential than descriptive representation. Social group representation appears to influence school district policy too but, unlike police departments, an even stronger relationship appears to exist between women's representation on school boards and policy comprehensiveness. The institutional context, therefore, impacts the strength of the relationship between social group representation, and all other variables, and leave policy.

Hypotheses 1, 3, and 4 received less support than Hypothesis 2 for the school district models because they are all, in some way, internal to the school itself whereas the influence of the women's movement is arguably more external. The relationship between board membership and school policy appears strongest when it is interacted with social group representation. As a whole, schools might have more comprehensive leave policies than police departments. But the likelihood of future expansion might be lower than police departments, those of which are experiencing growth in their female membership *and* are apparently differentially exposed to social group representation in the community.

Hypothesis 3 receives the most extensive support for police departments, but not school districts. Simply, as more women police officers work in a police department, the need for comprehensive leave policies seems to result in policies that exceed FMLA. This indicates that

departments do not consider comprehensive maternity policies as incentive to encourage more women to apply. These policies appear to arise out of necessity, not a belief that parents should be entitled to a certain amount of time off after birth. As the proportion of police officers that is female increases, the need for better leave policies might intensify, turning into demand. Likely this demand is more of the informal, internal variety rather than the external, which could come in the form of lobbying city or upper-management police officials, for example. A more likely scenario is that those Chiefs of Police, noting the increase of pregnant police officers, become more inclined to support formal leave policies than police chiefs from departments without such increases.

Future research should examine what the implications of women's expanding rights are for fathers as well. The survey results indicated that many of the women officers were concerned that the male police officers were not permitted more leave time as they become fathers. Departments might be adapting to gendered shifts in a traditionally male-dominated culture when more women police officers demonstrate their "difference" by having children.<sup>228</sup>

It would be interesting to survey teachers' perceptions on what policies should be in place because so many of the women police officers mentioned wanting fully paid leave. Women teachers' and women police officers' perceptions on women's rights and the women's social movement should be measured to ascertain their degree of feminist affiliation. In organizations highly segregated by sex, the lack of female coworkers might affirm otherwise dormant feminist attitudes among those females there. In organizations dominated by women, the status quo is arguably easier to accept without much thought to the contrary.

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<sup>228</sup> The difference v. equality feminist debate is crucial to understanding the evolution of women's rights in the United States and was briefly discussed in Chapter 1. Advocates for pure equality would argue that men and women should be treated exactly the same whereas an advocate for difference would point out that women are different and therefore require different treatment. Most feminists are arguably ideologically somewhere between these two views, rather than claiming one over the wholesale rejection of the other.

Related to the impact of the socio-cultural environment on leave policies was the finding that, for police departments and school districts, the state variable was significant in many of the statistical iterations run. California and Washington state policies appear to impact policies such that schools and police departments in these states tend to have more comprehensive leave policies. Of course this finding is not surprising in light of California's liberal policy.

The level of social group representation in a state might have influenced California and Washington to adopt more liberal policies overall, but it might also continue to exert its influence on individual organizations' policies. Allowing teachers to collect differential pay,<sup>229</sup> for example, is not official state policy, but nevertheless found in California school districts (at least out of the sampled districts examined). This is arguably a function of the social environment in California and in Washington that makes such leave a seemingly natural extension of existing policies. The consistently significant social group representation variable appears to corroborate this contention.

By and large, the most pressing concern for future research should be the collection of data from more police departments and school districts. This should not preclude smaller cities, which have not been examined in this study. Theoretically, smaller police departments and school districts should be included because they are arguably affected similarly by the more important variables identified. It might also be the case that some of the contextual variables gain in significance. For example, perhaps higher proportions of women having children are more relevant to policy makers in small rather than large communities because of their visibility, and thus perceived need. Regrettably, there is a dearth of such contextual variables at this level of analysis which might be problematic.

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<sup>229</sup> Explained in Chapter 4 as the cost of the teacher's salary minus the substitute's.

Instead of expanding the *n*, the focus perhaps should be on what the testing of other gendered institutional contexts could offer in the way of explaining family leave. Much of the research on institutional culture, as reviewed in Chapter 4, is survey-based. A cross-institutional survey might provide additional insight into how employees from different organizations perceive their position as mothers, as employees, and their views on family leave. This would allow an assessment of an employee's feminist commitment, or attachment to the community's women's movement, thus creating an internal efficacy measure of social group representation.

A possibly ambitious measure of feminist commitment would be one that assesses the level of social group attachment in members of legislative bodies. The interactive variable constructed in this study proved insufficient for police departments, possibly because it assumed that women legislators were interconnected with the women's social movement when it came to family leave. The party support variable was thought to control for the community's political commitments but proved insignificant in most of the models. Only in the GLLAM analysis was the proportion of Democratic vote significant. Of course a better measure would involve identifying each member's political affiliation.

When examining school districts, the interactive variable became important, suggesting that women's representation on school boards might be affected by the women's social movement and/or vice versa. Surprisingly, the relationship between the interactive variable and the policy was negative. Whereas city councils appear unaffected by the women's movement, school boards appear negatively affected. Male membership on school boards might actually signify a shift in the gendered status quo that prevents the type of change that could liberalize leave policies.



A possible impediment or benefit to political representatives' ability to affect leave policy is the electoral system. Typically this has been studied as variable explaining their electoral success, but some studies have examined electoral systems as a type of contextual influence on performance once in office. Tremblay (2007), for example, evaluated the possibility that women elected in proportional representative systems were more likely to feel a positive, psychological affinity with their women constituents, thereby creating an environment friendlier to women's rights, but no evidence for this was found. Much is waiting to be studied in the area of women legislators' ability to represent women effectively under different electoral structures.

Lastly, and maybe most importantly, the dependent variable needs to be reexamined. While this study's major endeavor involved rigorous, quantitative analysis, the descriptive statistics emerged as crucial to its theoretical foundation. Much of this involved exploration of an area rather overlooked in political science. The leave policies described in Chapters 4 and 5 are quantified according to the most obviously discernible patterns of arrangement. Future research should study policies more closely, developing new categories and noting variation not accounted for in this study. Nevertheless, evidence for many of the hypothesized relationships was found. The concluding chapter takes a step back from the empirical results, drawing academic conjectures that are macro-level in approach, and synthesizes these with this study's qualitative research.

## **CHAPTER 7**

### **Conclusion**

Women's impact on social policy has been measured at the local level by examining women's representation in legislative bodies and public institutions. A central contribution to the study of women in political science has arguably been the identification and measurement of a variable dubbed "social group representation." The empirical evidence in this study shows that the women's movement influences policy in part by working to increase women's representation among policy makers, including "street-level bureaucrats" (Lipsky, 1983). In order to establish the political returns from descriptive and social group representation for women, a women's issue --maternity leave policy-- was selected as the dependent variable. Previous work focusing on women's effects in government have analyzed policies that are arguably more gender neutral, prone to preferences organized by a liberal/conservative rather than a male/female classification.

It is difficult to isolate the effects of gender from other important social constructs like race, socio-economic status, and, of course, partisanship. The converse is, therefore, also accurate. Political science research that examines the effects of race on political behavior, for example, could be questioned for failing to control for gender. As long as women's studies are on the defensive, the development of methods that undeniably demonstrate the power of gender as a social construct is crucial to the progression of this area of study. This entails examination of issues that primarily concern women, and are uniquely affected by women. Social policies regarding pregnancy were considered ideal for such research.

This chapter will detail some of the ways in which future analyses can improve upon the methods utilized and the theories tested in this study. A review of some of the most innovative research being conducted in this area will accompany this summary discussion. First, the

importance of distinguishing between gender and biological sex in political science will be reviewed, particularly in how this work has quantified the two concepts through the study of social movements and descriptive representation. The value of including gendered institutions is presented along with a review of some of the more important findings of the analyses. In conclusion, this work is evaluated in terms of what it offers to the discipline of political science and what the future holds for this area of research, particularly when it comes to studying the women's movement.

Expectantly, an argument for the usefulness of gender as a theoretical lens through which to examine social and political processes has been presented herein. In a review of the literature on women in the discipline, Ritter (2008) writes compellingly:

To understand the place of women in American politics, therefore, it is important to understand how gender operates not only in shaping women's political interests and modes of participation, but also in defining the rights and roles of both men and women, organizing institutional structures, and assigning political virtue or vice to goals, nations, or actors that are cast as masculine or feminine (13).

It seems that gender's import is indisputable when researching the experiences of men and women in political life; yet it remains understudied. Feminist research is touted for offering methodologically diverse perspectives concerning all facets of political life, women-related or not. If gender is as powerful a social structuring phenomenon as feminist scholars maintain, it need not be discarded as an analytical tool simply because the subject matter does not directly relate to women. Gender's range of social immersion is grounds alone for conducting exciting new research, approaching political questions from different angles and measuring variables hitherto unmeasured. Burns (2008) writes, "If gender is a property of groups and systems, then aggregate and systemic analyses put it easily on display" (51). Through rigorous qualitative

analysis and innovative quantitative application, gender can be deconstructed.<sup>230</sup> Taking a tally of representatives of the same biological sex does not suffice because the influence of gender in assigning value to social processes needs to be observed (Kenney, 1996).

In order to accomplish the aforementioned, the distinction between gender and sex must become a more commonplace practice in political science. By counting proportions of women representatives in local legislative bodies, as well as their bureaucratic representation within school districts and police departments, the traditional approach to assessing the value of descriptive representation has been satisfied. This, then, was complemented by the construction of a framework, discussed in more detail later, which pitted the two institutions against one another in analysis, differentiating by their allegedly dissimilar gendered cultures. This being a relatively novel approach to studying the effects of women representatives on policy, the findings should be seen as preliminary. The gender/sex distinction was mainly addressed by including the presence of the women's movement in analysis.

It was hoped that a better understanding of policy affecting women could be gleaned through the quantitative union of descriptive representation and social group representation, an indicator of the women's movement in a community. Surprisingly, social group representation emerged as the strongest variable of impact in determining the comprehensiveness of maternity leave policy for both police departments and school districts. This coincides with the theoretical expectation of this study being mainly that the ideological milieu of a community affects all levels of political and social life such that it overpowers any benefits descriptive representation could offer. Nevertheless, there exist strong theoretical reasons to believe that women's descriptive representation and social movements are linked. Quite possibly, this study has not appropriately investigated this relationship.

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<sup>230</sup> It is, after all, a social construction.

Recently, a study conducted by Dittmar (2008) has examined the relationship between women's descriptive representation in state legislative bodies and how they affect proposals for paid leave. Besides sharing an interest with my research in what has proven to be a rare subject matter in political science, Dittmar is similarly concerned in studying how outside social entities can affect women in office pointing out that descriptive representation may only be as effective as the women's affiliation with either organized women's groups or feminist ideology. Unfortunately, her study does not provide a large-N, empirical mode for doing so, relying instead on case studies of California, New Jersey, and Washington. Moreover, while legislative proposals are an interesting gauge of how women's activities in office might differ, their substantive worth to women is questionable, especially when Dittmar's exhaustive case study results are taken into account. She writes, "In all three states, women's organizations and women leaders have headed coalition efforts and played active roles in lobbying legislatures, indicating the important tie between women's outsider influence and insider actions" (Dittmar, 29).

Future research on the politics of family leave should seriously consider operationalizing the women's movement using other indices, especially ones that include the grassroots efforts of mothers themselves. Dittmar's research provides further evidence bolstering the use of methods evaluating the activities and ideological predilections of women legislators. Arguably, similar analysis should be conducted for much work in political science addressing the benefits and substantive results of descriptive representation. Once external variables are quantified, their relationship to legislators can more or less be easily assessed and included as interactions with variables of descriptive representation. As addressed early on in the research conducted here, it would have been helpful to identify city council members' affiliation with local women's groups,

like NOW, and their views on women's rights. First, however, we should continue to develop appropriate measures of the external socio-political environment.

Reviewing the literature on women in office, Reingold (2008) writes of "political culture" and its scholarly omission in studies of women representatives. Reingold writes, "the research on women in state and local office has had little to say about whether or how the "outside" political world might affect choices, processes, and outcomes 'inside' governing institutions" (143). She points out that the lack of evidence for "critical mass theory" might come from a fixation on biological sex at the expense of gender. Descriptive and substantive representation are related, but their relationship is muddled by party identification, gendered contexts, and the level of feminist identification in representatives. Dovi (2008) writes, "Political scientists also need to differentiate between female representatives as inside players, who can potentially transform the political system, and female representatives who are merely tokens" (160).<sup>231</sup> While I believe that my research has taken important steps in recognizing broader external forces, admittedly little attention was paid to the level of feminist commitment in the representatives themselves.

Women representatives are not monolithic harbingers of feminist change and political scientists have begun to address the cultural environment that might explain their sometimes spotty feminist records. Including social group representation partially compensates for the lack of other identifiers, such as those discussed above, for the women's movement. The importance of in-depth qualitative research, whether accompanying empirical methods or not, cannot be overstated because of gender's complicated, and understudied, status in social science. In particular, knowing how institutional processes are gendered is a fruitful starting point for

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<sup>231</sup> Dittmar (2008) does just that in her examination of California State Senator Sheila Kuehl's activities outside of the House with groups like *Moms Rising*.

knowing how these processes then shape behaviors, thus influencing outcomes. Dolan's (2008) review of the literature finds several common themes of explanation for lower political participation in women including socialization that delegitimizes women in political office and differing life circumstances, like women's greater familial responsibilities and lower incomes (114). Arguably, these findings can be applied to explaining women's experiences in the public school system and law enforcement profession.

This study compared very different institutions on the gender continuum, both of which possess purposes and outcomes with strong political implications. The two are interlinked. When the school presumably fails in the proper, social training of students, law enforcement steps in. Teachers are the conduit through which the community instills its political and social values on future adult citizens. Whereas the job of law enforcement officer is clearer, codified in laws and regulations, the role of teacher is less so. Teachers are afforded a considerable amount of freedom to translate the community's value system to students. These divergent, yet interrelated, occupations are steeped in culturally perpetuated ideas of what is gender appropriate behavior and gendered expectations of how the roles of teacher and police officer should be performed.

An additional layer of knowing how gender impacts women was added by including the role of gendered institutions. Future studies might forego this analytical level in favor of providing a more detailed portrayal of the relationship between descriptive and substantive representation at the legislative level. Nevertheless, when the object of expected variability is identified (i.e. maternity leave policy), the institutional context of its expected influence will most certainly matter in explaining its interpretation by the implementing bureaucracy. This study finds that not only is the policy gendered, but so is the institution rendering its addition

vital in revealing gendered inequities in policy. Future studies should carefully consider not only the targeted constituency of the policy under study, but also the context because it will determine its aggregate effect. In this case, the location of qualitative research on the gendered nature of the examined institutions was relatively effortless, but future studies examining less clearly gendered institutions might experience more difficulty in finding such information.

Spain (1993) emphasizes the historical social desirability of having women as teachers pointing out that in professions where women are not as welcome, those women employees are frequently subject to harassment. The “women friendliness” of the school system’s institutional set-up, in terms of policies supporting their specific needs, is not addressed. This research suggests that the public school system, though dominated by women teachers, is not necessarily “woman-friendly” in the sense that it affords women with rights that vastly exceed rights in an institution that is not as woman-friendly, like law enforcement. Above all, the research results seem to suggest that public school districts are more impermeable to the women’s movement and women’s descriptive representation than police departments. In the quest to identify patriarchal processes, it is easy to overlook an institution that employs as many women as schools do. Arguably, however, that is precisely why schools should be scrutinized first.

Women police officers arguably differ from women in many other professions. Their work environment is highly masculine and their on-the-job socialization is most certainly masculine as well. Law enforcement agencies are also part of the most conservative institutional component of government, making social change a difficult task. One might expect that law enforcement officers, both men and women, are therefore more resistant to policies that question the status quo. As the survey responses seem to imply, the arduous nature of the job might make comprehensive leave a natural demand, perhaps arising from need. Whether or not need



precedes ideology is debatable, but the responses seem to suggest that many of the women felt a sense of social injustice when it came to the provision of unpaid versus paid leave, which suggests that their cognitive understanding of leave policy is ideologically shaped.

Women police officers were fairly uniform in expressing a need for paid maternity leave. In answer to the survey question, “Do you feel that the current leave policy could be improved,” Emily, from the Sacramento, California police department writes:

Yes, but I think the United States in general is far behind in maternity leave policies. So, when I look at what other women I know in other jobs were given, or allowed to do for their maternity leave, I don’t think our department’s policy is so bad. Two suggestions I would make to improve the policy: 1) Give 12 weeks paid parental leave, 2) Allow women to go “absent without pay” for up to six weeks without having to take the sum total of all their time off down to forty hours or less. This would give women the opportunity to use the money they receive from short term disability to replace their salary. In my case I just banked the disability money.

The women of police departments might be made aware of gendered processes and inequities precisely because of their close participation in a masculine-affirming institution. Plausibly, these women have long been aware of social gendered patterns because of the choices they made leading up to the decision to be police officers. Some feminist scholars are uncomfortable with women who wish to become part of an establishment that touts masculine conceptions of aggression and deems violence as a standard course of action (DeCew, 1997; Enloe, 2000).<sup>232</sup> Law enforcement is, after all, the primary defense for the maintenance of the social order. However, law enforcement is not simply a masculine affirming entity, it is comprised of attributes, masculine or not, that appeal to some women for reasons other than gender.

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<sup>232</sup> To be fair though, both of the cited reference the military, not law enforcement.

Law enforcement officers also serve as the primary defenders of civilians' safety and well-being.<sup>233</sup> Similarly as there is a demand for research on the political socialization of women, future research should concentrate on identifying those social processes that shape future women police officers and those traits that are unique to them in comparison to women in other professions. Perhaps some of the recognition that paid maternity leave is not only reasonable, but also socially beneficial, comes from an awareness of gender processes that are unique to women police officers because of their life experiences. The earliest choice to become a law enforcement officer is arguably shaped by non-gender specific reasons. As women attempt to fulfill their occupational aspirations, they are surely confronted with the knowledge that there are masculine values attached to the profession they have chosen. While to date this might be irrelevant to the pursuit of this career, they might nevertheless possess a profound understanding of social gender construction.

Police departments also appear to be more affected by the women's movement than school districts, suggesting that knowledge of the women's movements in other countries, which have brought about paid leave, might also exist. Women in the law enforcement profession might, as argued above, already be conscious of gender issues thus leading them to acquire more information regarding universal rights and feminist goals than women in traditionally female-dominated occupations.

Women's representation in the ranks of police officers seems to positively affect leave policies suggesting that male employees are also made more aware of biased gender practices because of their presence. Perhaps in institutions where gender inequality is its starkest is the possibility for dramatic social change is the highest. Gender can be rather elusive when it is as

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<sup>233</sup> As Chapter 5 argued, this is not incongruous with stereotypical conceptions of a mother's purpose in child rearing.

ingrained in social and institutional processes as it is. Police officers, male and female, are confronted with both of these processes when a female becomes pregnant. Besides non-existent leave policies, the organization's standard operating procedures are incompatible with pregnant women and fathers. Compulsory night patrol duty, for example, is hard on families, but male police officers might not have questioned its necessity because their role as male police officer was not socially discordant with their role of fathers. For women, however, their role as female police officer clashes with their role as mother, who should be at home with the newborn child. Male police officers were likely not aware of the ease in which their roles coexisted until confronted with colleagues struggling to adapt to their gender roles.

Women teachers, on the other hand, face less difficulty in balancing their roles as mother with their roles as teachers. This, most likely, explains why formal leave policies existed for teachers, but not for police officers. Preliminary findings suggest that teachers are more confined to the codified options available to them than police officers. This does not signify inferior policies, because districts, in general, provide more comprehensive policies to teachers than police departments do to officers. Teachers are more likely than police officers to contend with bureaucracies that provide information regarding their leave and clearly outline the process involved in obtaining time and benefits, which tend to exceed the requirements of FMLA. Clearly this was not the case in all sampled school districts. Overall, institutionalized policies and processes appear to support the role of mother and employee for teachers, but not for police officers.

Future research should replicate the police survey and explore the informal processes of obtaining leave in these school districts, especially in those that offer the most minimal of accommodations. Teachers might prefer policies different than those considered

“comprehensive” in this study. Further specification of policy minutiae will allow for more accurate comparisons among all organizations, both public and private. Classifying maternity leave by time allotted and pay are admittedly crude estimates of policy comprehensiveness. Organizations can place stipulations on how time and pay is accessed, by requiring a certain length of service, and can denote to whom the policy applies. As discussed in previous chapters, not all birth-related leave is equally distributed to men and women. Moreover, how birth-related leave is defined by an organization, and the gendered context of the organization, might affect how easily an employee is able to take it. Leave entitled “child care,” found in many school districts, often implies that both men and women are able to care for an infant, and is therefore a more inclusive policy than, for instance, “pregnancy leave.”

Differential rates of leave-taking among men in police departments and school districts might result due to the process of policy framing. In an environment that is dominated by female employees, men wanting to take time off to care for a child might receive more understanding, and even encouragement to do so, than in an environment dominated by men (e.g. Kim, 1998). The quantification of leave policy is arguably a simpler task than identifying the value traits attached to specific leave policies. Yet, this might be crucial in understanding how men and women take time off to care for their children.

How men and women take advantage of leave time is of course important and strongly representative of their organization’s gendered environment. However, before such research proceeds, more work should be conducted on the actual policies themselves and how they are carried out. This study included the effect of women in bureaucratic leadership positions in order to ascertain whether or not their presence matters. In school districts, as with political representation, women superintendents and school board members proved to be rather

unimportant to policy comprehensiveness. Schools might possess an especially potent form of gender norm inertia that is resistant to change.

It is too early to tell whether or not Chiefs of Police are influential or not because of their underrepresentation in this position. Future studies should include other leadership positions within law enforcement because it might be, for reasons similar to women's representation in the ranks of police officer, that women in leadership positions are uniquely positioned to view gender inequities and are therefore more likely to promote change. On the other hand, women in leadership positions might not conceptualize family issues as their subordinates do. This might be in part because their position in the organization requires a more compliant attitude towards traditional views of the American work ethic, which entails a high degree of individualistic responsibility. Perhaps women in leadership positions are also less likely to have the same type of family responsibilities as their employees do.

Throughout this study, paid leave for maternity-related reasons has been treated as the aspiration, the ultimate indicator of a comprehensive leave policy. Implicit in this supposition is that the status of women's rights is at least partially dependent upon whether or not a woman's contribution as a mother is economically compensated, which, in a commercial society, means that her pregnancy is legitimized. The struggle for paid leave is not only an attempt to level the playing field for women who are both mothers and employees, but is also an attempt to redefine societal views of parenthood and the workplace. Dittmar (2008) writes, "Paid family leave is an attempt, though moderate, to shift national discussion back to valuing care-work and recognizing the interdependency that members of society share as parents, children, and family members" (9). Future work should concentrate on the rhetoric surrounding paid leave, including that of the

opposition, as it most certainly is a factor in determining its passage. International comparative work can be of tremendous use in this area.

As the likelihood of significant, national policy change is small, significant ideological changes occurring within the public concerning the roles of mothers and fathers, employees and employers is also dubious. Nevertheless, a handful of studies including this one, suggest that when it comes to policy concerning maternity leave, change might come from the grassroots politicking of the women's movement. As history seems to suggest, a cultural revolution is best served from the ground up. The women's movement, comprised of a variety of groups containing a diversity of philosophical feminist approaches to change, has dramatically altered the American political and social landscape by simply changing the conversation. We should continue to approach the study of the women's movement from an ideological vantage point, examining ways in which the media, the political arena, and larger society absorb and/or discard the efforts of activists. The importance of examining these aspects of sociopolitical effects on policy implementation (both overtly gendered and not) has been highlighted in this study, thus emphasizing the need for further investigation.

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## Appendix A

### A reference guide to school district leave policies used in this study

The entirety of those district policies study are not reproduced below for considerations of brevity and concision. Any omission is entirely accidental. The purpose is to provide an overview of the types of policies found in U.S. school districts and is not meant to be an exhaustive listing.

City	School District Policies (or, if specified, union agreements)
<b>Abilene Texas</b>	Similar to that of FMLA, no separate policy As per email March 3, 2008
<b>Akron, Ohio</b>	"In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child." Akron City Schools Policy ( <a href="http://www.neola.com/akron-oh">www.neola.com/akron-oh</a> , last referenced March 3, 2008)
<b>Albany, GA</b>	If both spouses work for the Board and both are eligible for FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to care for a newborn or adopted child, a child placed with the employee for foster care, or a parent with a serious health condition. Both spouses are authorized to take leave to care for a spouse or child with a serious health condition for twelve (12) weeks." "If an instructional employee begins leave for a purpose other than the employee's own serious health condition during the five-week period before the end of the semester, the Board may require the employee to continue taking leave until the end of the semester if the leave will last more than two weeks; and the employee would return to work during the two-week period before the end of the term." <a href="#">Dougherty County School System</a> , last referenced March 3, 2008.
<b>Albany, NY</b>	"14.1 Upon written request from a tenured teacher which shall contain the requested start date and return date, the Superintendent shall recommend that the Board of education grant such teacher a leave of absence without salary up to two years, with said leave scheduled such that the teacher returns at the beginning of a marking period for any of the following reasons: care of family..." City School District of Albany, as per fax received April 15, 2007
<b>Albuquerque, NM</b>	Up to one year of absence for the birth of a child As per fax received from Albuquerque Public Schools Human Resources Department April 14, 2008
<b>Alexandria, LA</b>	"The maximum duration of maternity leave at any one time shall be two (2) calendar years for all employees. If no request for reinstatement has been received during the two (2) calendar years from the beginning date of leave, the employee's right to reinstatement shall have been forfeited and the employee terminated." <a href="#">Rapides Parish School District</a> , last referenced March 3, 2008.
<b>Altoona, PA</b>	"When both spouses are employed by the District, they are only permitted to take a combined total of twelve weeks of FMLA leave" "an instructional employee begins leave more than five weeks before the end of a term, and if the leave will last at least three weeks and the employee would otherwise return to work during the three weeks before the end of the term, the employer may require the employee to continue taking leave until the end of the term."-Altoona Area School District Policy 3034R4
<b>Amarillo, TX</b>	"If the leave begins more than five weeks before the end of the semester, the District may require the employee to continue taking leave to the end of the semester if the leave will last at least three weeks and the return to employment would occur during the three-week period before the end of the semester." "When the husband and wife both use a portion of the total 12-week entitlement for one of the purposes noted above, each spouse shall be entitled to the difference between the amount he or she has taken individually and 12 weeks of FMLA leave for a purpose other than those listed above."-Amarillo Independent School District

<b>Anchorage, AK</b>	<p>“The Family Medical Leave (Alaska) allows an employee to take up to 18 workweeks (90 workdays) during a 12 month period for pregnancy childbirth, adoption or placement of a child in the employee's home for foster care.”</p> <p>“A husband and wife who are eligible for FMLA leave and are both employed by the same covered employer may be limited to a combined total of 18 weeks of leave during any 12-month period of leave.”</p> <p><a href="#">Anchorage School District</a>, last referenced March 3, 2008.</p>
<b>Anderson, IN</b>	<p>“In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.” <a href="#">Anderson Community School District</a>, last referenced March 3, 2008.</p>
<b>Appleton, WI</b>	Similar to that of FMLA
<b>Asheville, NC</b>	<p>“Instructional personnel may be required to continue leave through the end of the school semester if any of the following conditions exist: the leave is beginning more than five weeks before the end of the term; the leave will last at least three weeks; and the employee will be returning to work in the last three weeks of the academic term.”</p> <p><a href="http://www.asheville.k12.nc.us/ACS%20Board%20Policies/Document%20Library/7000%20-%20Personnel/5-Workday%20and%20Absences/7520.pdf">http://www.asheville.k12.nc.us/ACS%20Board%20Policies/Document%20Library/7000%20-%20Personnel/5-Workday%20and%20Absences/7520.pdf</a></p> <p>last referenced March 5, 2008</p>
<b>Athens, GA</b>	Similar to that of FMLA
<b>Atlanta, GA</b>	Similar to that of FMLA
<b>Auburn, AL</b>	<p>“Maternity leave will be granted without pay in accordance with the laws of the State of Alabama. Maternity leave may begin on the date the teacher and her doctor agree it should, providing the Superintendent is given written notice of her intent thirty days prior to the date the leave will begin. An adoptive parent may be granted leave without pay for a period not to exceed one year from the time of adoption. Should the leave begin during a school year, the maximum of one-year period shall be considered to commence at the beginning of the new semester.”</p> <p>Auburn School District Policy</p> <p><a href="http://www.auburnschools.org/School_Info/Auburn%20City%20Schools%20Policy%20Manual%202002/Section%20G%20Personnel/FILE%20GBRIF%20MATERNITY%20LEAVE.asp">http://www.auburnschools.org/School_Info/Auburn%20City%20Schools%20Policy%20Manual%202002/Section%20G%20Personnel/FILE%20GBRIF%20MATERNITY%20LEAVE.asp</a>, last referenced March 5, 2008.</p>
<b>Augusta, GA</b>	<p>Similar to that of FMLA with spousal stipulation</p> <p>Richmond County School District Policy as per fax received April 16, 2008</p>
<b>Austin, TX</b>	<p>“When an instructional employee requests leave near the end of a semester, the District may impose the following restrictions on the timing of a return to duty: If the leave begins more than five weeks before the end of the semester, the District may require the employee to continue taking leave to the end of the semester if the leave will last at least three weeks and the return to employment would occur during the three-week period before the end of the semester.”</p> <p>“A husband and wife who are eligible for FMLA leave and are both employed in the District may be limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken: For the birth of a son or daughter or to care for the child after Birth.”</p> <p>Austin Independent School District,</p> <p><a href="http://www.tasb.org/policy/pol/private/227901/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/227901/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, last referenced March 5, 2008</p>

<b>Bakersfield, CA</b>	<p>“The duration of such leave shall consist of no more than twelve (12) consecutive months and shall automatically terminate on June 30 in the school year in which such leave is granted.” As per collective bargaining agreement.” As per collective bargaining agreement  <a href="http://static.bcsd.kern.org/gems/bcsdPersonnel/CSEACContract.pdf">http://static.bcsd.kern.org/gems/bcsdPersonnel/CSEACContract.pdf</a>, last referenced March 6, 2008</p> <p>“Under California law, employees may take up to four (4) months of leave if the employee is disabled on account of pregnancy, childbirth, or related medical condition. Leave taken due to pregnancy disability shall run concurrently with leave available under the FMLA.CFRA provides female employees with an additional 12-weeks of unpaid leave for purposes of bonding with a newborn child. Accordingly, a female employee may take pregnancy disability leave for up to four months, and both male and female employees may take up to 12 weeks of unpaid leave for bonding purposes.” -Bakersfield City School District Policy  <a href="http://boardpolicies.bcsd.com/final/bp500_5.doc">http://boardpolicies.bcsd.com/final/bp500_5.doc</a>  Last referenced March 5, 2008</p>
<b>Baltimore, MD</b>	<p>Similar to that of FMLA  Baltimore Teachers Union  <a href="http://www.baltimorecityschools.org/Departments/hr/Benefits/PDF/CUB_L44_PSASA/CUB_Handbook.pdf">http://www.baltimorecityschools.org/Departments/hr/Benefits/PDF/CUB_L44_PSASA/CUB_Handbook.pdf</a>, last referenced April 11, 2008.</p>
<b>Bangor, ME</b>	<p>Similar to that of FMLA with stipulations  Bangor School District  As per email communication April 11, 2008.</p>
<b>Baton Rouge, LA</b>	<p>Up to a year of unpaid leave  East Baton Rouge Parish School District  <a href="http://humanresources.ebrschools.org/eduWEB1/1000012/docs/gbric_maternityleave.pdf">http://humanresources.ebrschools.org/eduWEB1/1000012/docs/gbric_maternityleave.pdf</a>, last referenced May 1, 2008.</p>
<b>Battle Creek, MI</b>	<p>“In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.” Lakeview School District Policy  <a href="http://www.neola.com/lakeviewcommunity-mi/">http://www.neola.com/lakeviewcommunity-mi/</a>, last referenced March 5, 2008.</p>
<b>Bay City, MI</b>	<p>Similar to that of FMLA as per fax April 15, 2008.  Bangor Township Schools Policy</p>
<b>Beaumont, TX</b>	<p>“If the leave begins during the three weeks prior to the end of the semester for a purpose other than the employee’s own serious health condition and will last more than five working days, the District may require the employee to continue to take leave until the end of the semester.”  “When the husband and wife both use a portion of the total 12-week entitlement for one of the purposes noted above, each spouse shall be entitled to the difference between the amount he or she has taken individually and 12 weeks of FMLA leave for a purpose other than those listed above.” Beaumont Independent School District Policy  <a href="http://www.tasb.org/policy/pol/private/123910/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/123910/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, last referenced March 6, 2008</p>
<b>Bellingham, WA</b>	<p>“In addition to, and independent of, any leave for a pregnancy- or childbirth-associated disability, employees shall be eligible to receive two (2) days paid leave upon the birth of the employee's child. The leave must be approved in advance by the Superintendent or designee and must be taken within fifteen (15) working days following the birth of the child.”  “An employee may request an unpaid leave of absence, not to exceed one (1) year, to care for his/her newborn...” Bellingham School District,  <a href="http://www.bham.wednet.edu/district/documents/P5320.pdf">http://www.bham.wednet.edu/district/documents/P5320.pdf</a>, last referenced March 10, 2008</p>
<b>Bend, OR</b>	<p>Similar to that of FMLA  as per email correspondence March 7, 2008  <a href="http://www.worknotes.com/OR/Bend/OSEACChapter6/h4.stm">http://www.worknotes.com/OR/Bend/OSEACChapter6/h4.stm</a>, last referenced May 1, 2008.</p>

<b>Bismarck, ND</b>	<p>If a husband and wife both work for the company, and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave." Bismarck Public School Policy</p> <p><a href="http://www.bismarckschools.org/uploads/resources/922/rulegcrhr.pdf">http://www.bismarckschools.org/uploads/resources/922/rulegcrhr.pdf</a>, last referenced March 6, 2008.</p>
<b>Blacksburg, VA</b>	<p>"If an employee has accumulated sick leave, they may use up to a maximum of six weeks for the following: the birth of a child, the adoption of a child, and/or becoming a new foster parent. If the employee does not have accumulated leave, they may apply for a medical leave without pay. Leave more than five (5) weeks prior to end of term - If the eligible employee begins leave more than five (5) weeks prior to the end of the academic term the Montgomery County Public Schools may require the employee to continue taking leave until the end of such term if the leave is of at least three (3) weeks duration, and the return to employment would occur during the three (3) week period before the end of such term."</p> <p>"When both spouses are employed by the school division, the combined amount of leave for birth, adoption, and illness of a parent may be limited to twelve (12) weeks in a twelve (12) month period."</p> <p>Montgomery Public School District Policy, <a href="http://policy.mcps.org/5-7.6.htm">http://policy.mcps.org/5-7.6.htm</a>, last referenced March 5, 2008</p>
<b>Bloomington, IL</b>	<p>"If both spouses are employed by the District, they may together take only 12-weeks for family and medical leaves when the reason for the leave is 1 or 2, above, or to care for a sick parent."</p> <p>Bloomington School District 87</p> <p><a href="http://www.district87.org/esc/boardpolicy/Board%20Policies/5.185%20Board%20Policy.pdf">http://www.district87.org/esc/boardpolicy/Board%20Policies/5.185%20Board%20Policy.pdf</a></p> <p>Last referenced march 6, 2008</p>
<b>Boise City, ID</b>	<p>"If both spouses are employed by the District they together may take only 12 weeks for Family and Medical Leave when the reason for the leave is 1a or 1b above, or to care for a sick parent." Independent School District of Boise City</p> <p><a href="http://www.boiseschools.org/board/policy/5000.html">http://www.boiseschools.org/board/policy/5000.html</a>, last referenced March 6, 2008</p>
<b>Boulder, CO</b>	<p>Boulder Valley School District Similar to that of FMLA</p> <p><a href="http://bvsd.org/C14/Benefits/Lists/Pages/Leave%20of%20Absence%20Information.aspx">http://bvsd.org/C14/Benefits/Lists/Pages/Leave%20of%20Absence%20Information.aspx</a></p> <p>Last referenced March 6, 2008</p>
<b>Bremerton, WA</b>	<p>"If the employee begins any leave under this policy more than five (5) weeks before the end of an academic term, the District may require the employee to continue the leave to the end of the term if the leave is of at least three (3) weeks duration and the return to employment would occur during the three (3) week period before the term=s end."</p> <p>"In any case where a husband and wife are employed by the District, the aggregate number of workweeks provided to both employees for childbirth leave, adoption/foster care leave and family care leave taken to care for a sick parent shall be limited to twelve (12) workweeks during any twelve (12) month period."</p> <p><a href="http://www.bremertonschools.org/ourdistrict/policies/5000series/5404.pdf">http://www.bremertonschools.org/ourdistrict/policies/5000series/5404.pdf</a>, last referenced March 6, 2008.</p>
<b>Brownsville, TX</b>	<p>"When an instructional employee requests leave near the end of a semester, the District may impose the following restrictions on the timing of a return to duty: 1. If the leave begins more than five weeks before the end of the semester, the District may require the employee to continue taking leave to the end of the semester if the leave will last at least three weeks and the return to employment would occur during the three-week period before the end of the semester."</p> <p>"When the husband and wife both use a portion of the total 12-week entitlement for one of the purposes noted above, each spouse shall be entitled to the difference between the amount he or she has taken individually and 12 weeks of FMLA leave for a purpose other than those listed above."-Brownsville Independent School District Policy</p> <p><a href="http://www.tasb.org/policy/pol/private/031901/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/031901/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, last referenced March 6, 2008</p>

<b>Brunswick, GA</b>	Similar to that of FMLA-Glynn County Schools <a href="https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRH&amp;Sch=4075&amp;S=4075&amp;RevNo=1.24&amp;C=G&amp;Z=P">https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRH&amp;Sch=4075&amp;S=4075&amp;RevNo=1.24&amp;C=G&amp;Z=P</a> last referenced March 6, 2008
<b>Burlington, NC</b>	“The Board of Education authorizes the Superintendent to grant military leave, educational leave, parental leave up to one calendar year, and leave for personal illness in excess of sick leave provisions for a period up to twelve (12) calendar months to employees in line with the state and federal rules and regulations, as well as policies adopted by the State Board of Education.” Alamance-Burlington School District <a href="http://abss.k12.nc.us/modules/cms/pages.phtml?sessionid=f776c338523e3add1b73c0ee8cfe2bfc&amp;pageid=2716&amp;sessionid=f776c338523e3add1b73c0ee8cfe2bfc">http://abss.k12.nc.us/modules/cms/pages.phtml?sessionid=f776c338523e3add1b73c0ee8cfe2bfc&amp;pageid=2716&amp;sessionid=f776c338523e3add1b73c0ee8cfe2bfc</a> , last referenced March 6, 2008.
<b>Burlington, VT</b>	“If an Instructional Employee begins his/her leave more than five weeks prior to the end of the academic term, i.e., semester, the District may require the employee to continue his or her leave to the end of academic term if the leave will last at least three weeks and the employee's return would occur during the last three weeks before the end of the academic term.” -Burlington School District <a href="http://bsdweb.bsdt.org/Board/policy/gcbdc.htm">http://bsdweb.bsdt.org/Board/policy/gcbdc.htm</a> , last referenced March 6, 2008.
<b>Canton, OH</b>	oyee under contract in the District becomes pregnant, she may be granted a leave of absence without pay. Maternity leave extends for the remainder of the semester in progress and may be extended for one additional school year.” Canton City District Policy <a href="http://www.ccsdistrict.org/uploads/Canton-G.pdf">http://www.ccsdistrict.org/uploads/Canton-G.pdf</a> , last referenced March 10, 2008.
<b>Cape Coral, FL</b>	Similar to that of FMLA <a href="http://www.leeschools.net/board/policies/chapter5/5%202020%20AR2%2033%20Family%20and%20Medical%20Leave.pdf">http://www.leeschools.net/board/policies/chapter5/5%202020%20AR2%2033%20Family%20and%20Medical%20Leave.pdf</a> -School District of Lee County Policy, last referenced March 10, 2008
<b>Carson City, NV</b>	Similar to that of FMLA <a href="http://www.carsoncityschools.com/contracts/CertifiedCBA2007-09.pdf">http://www.carsoncityschools.com/contracts/CertifiedCBA2007-09.pdf</a> -Comprehensive Agreement Between the Carson City School District and the Ormsby County Education Association (same as district policy), last referenced March 10, 2008
<b>Casper, WY</b>	Similar to that of FMLA <a href="http://www.natronaschools.org/schoolboard/Board%20policy/4192.pdf">http://www.natronaschools.org/schoolboard/Board%20policy/4192.pdf</a> Natrona County School District Policy, last referenced March 10, 2008.
<b>Cedar Rapids, IA</b>	Similar to that of FMLA <a href="http://www.cr.k12.ia.us/aboutUs/BoardOfEd/supportDocs/PolicyHandbook/PolicyHandbook.pdf">http://www.cr.k12.ia.us/aboutUs/BoardOfEd/supportDocs/PolicyHandbook/PolicyHandbook.pdf</a> Cedar Rapids School District, last referenced March 10, 2008.
<b>Champaign, IL</b>	“If both the husband and wife are employed by the District and eligible for FMLA leave, they are permitted to take only a combined total of 12 weeks of leave during a 12-month period if the leave is for the birth and care of a child, the placement of a child for adoption or foster care, or to care for a parent (not a parent-in-law) with a serious health condition.” <a href="http://policy.microscribepub.com/cgi-bin/om_isapi.dll?clientID=104556853&amp;advquery=fmla&amp;depth=2&amp;headingswithhits=on&amp;hitsperheading=on&amp;infobase=champaign.nfo&amp;record={CF2}&amp;softpage=PL_frame">http://policy.microscribepub.com/cgi-bin/om_isapi.dll?clientID=104556853&amp;advquery=fmla&amp;depth=2&amp;headingswithhits=on&amp;hitsperheading=on&amp;infobase=champaign.nfo&amp;record={CF2}&amp;softpage=PL_frame</a> , last accessed March 10, 2008
<b>Charlotte, NC</b>	Such leave is potentially available to care for a newborn child or a newly adopted child for up to a maximum leave period of one (1) calendar year from the date of birth or adoption. In addition, parental leave as defined by North Carolina Public Schools' regulation is separate from potential leave that may be available to qualified employees under the Family and Medical Leave Act (FMLA) under similar circumstances.” Charlotte-Mecklenburg School District <a href="http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=228814927&amp;advquery=fmla&amp;depth=2&amp;headingswithhits=on&amp;hitsperheading=on&amp;infobase=charmeck.nfo&amp;record={857}&amp;softpage=PL_frame">http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=228814927&amp;advquery=fmla&amp;depth=2&amp;headingswithhits=on&amp;hitsperheading=on&amp;infobase=charmeck.nfo&amp;record={857}&amp;softpage=PL_frame</a> , March 10, 2008
<b>Charlottesville, VA</b>	Similar to that of FMLA as per email March 10, 2008

<b>Chattanooga, TN</b>	<p>“Any person holding a position requiring a license to teach shall be granted leave for military service, legislative service, maternity, adoption, recuperation of health, educational improvements or other sufficient reason without loss of accumulated leave credits, tenure status, or other fringe benefits, if applicable.”-Hamilton County Board School District  <a href="http://www.hcde.org/site/schoolboard/media/pdfs/boardpolicy.pdf">http://www.hcde.org/site/schoolboard/media/pdfs/boardpolicy.pdf</a>, last referenced March 10, 2008.</p>
<b>Cheyenne, WY</b>	<p>Similar to that of FMLA  <a href="http://web.lrm2.k12.wy.us/BoardMinutes/BrdPolProc/SectionG.pdf">http://web.lrm2.k12.wy.us/BoardMinutes/BrdPolProc/SectionG.pdf</a>, last referenced March 10, 2008.</p>
<b>Chicago, IL</b>	<p>“Instructional Employees, defined as those whose principal function is to teach and instruct students in a class, a small group, or an individual setting, are subject to special FMLA leave rules.” Chicago Public School District  <a href="http://policy.cps.k12.il.us/documents/513.1.pdf">http://policy.cps.k12.il.us/documents/513.1.pdf</a>, last referenced March 10, 2008.</p>
<b>Chico, CA</b>	<p>“An expectant mother may continue working prior to delivery provided that, if she is under a doctor's care, her doctor certifies that she is physically and emotionally able to perform classroom duties.  maternity leave without pay may be requested by the expectant mother. Maternity leave may be taken at any time prior to delivery. If she is under a doctor's care, a doctor's statement of expected date of delivery shall be submitted to the administrator in charge of certificated personnel at the time of the request for leave.  Following the birth of a child, the employee may return as soon as her doctor supplies a written release stating that she is able to resume her duties or if the employee supplies a written release stating that she is able to resume her duties. An employee on maternity leave who does not return within the school year shall notify the District whether she intends to return the following year not later than March 1 of the school year prior to return..”  Unified School District  <a href="http://www.cusd.chico.k12.ca.us/documents/Policy_and_Procedure/policy4860.pdf">http://www.cusd.chico.k12.ca.us/documents/Policy_and_Procedure/policy4860.pdf</a>, last referenced March 10, 2008.</p>
<b>Cincinnati, OH</b>	<p>The effective date of maternity leave and the effective date of return to work from maternity leave may be reviewed by the Superintendent to insure that the effectiveness of classroom instruction is maintained and that the health of the teacher is not jeopardized..”  Cincinnati Public School Policy <a href="http://www.cps-k12.org/Board/BdPolicies/PL4152-2.pdf">http://www.cps-k12.org/Board/BdPolicies/PL4152-2.pdf</a>, last accessed March 10, 2008.</p>
<b>Clarksville, TN</b>	<p>“Tennessee Maternity Leave Act also entitles employees who have been employed by the same employer for at least twelve (12) consecutive months as full-time employees, as determined by the employer at the job site or location, may be absent from such employment for a period not to exceed four (4) months for adoption, pregnancy, childbirth and nursing the infant where applicable (such to be hereinafter referred to as “leave”). With regard to adoption, the four-month period begins at the time an employee receives custody of the child. To be eligible for this leave, an employee must have given her/his immediate supervisor and the Human Resource Director at least three months advance notice of his/her anticipated date of departure, the length of the maternity leave, and his/her intention to return to full-time employment after the maternity leave has ended. Employees who are prevented from giving three months advanced notice because of a medical emergency, or notice of adoption was received less than three months in advance would not forfeit their rights under the Tennessee Maternity Leave Act.”  Clarksville Montgomery County School policy.  <a href="http://www.cmcss.net/ISO9000/HUM-M001.doc">http://www.cmcss.net/ISO9000/HUM-M001.doc</a>, last referenced May 1, 2008.</p>



<b>Cleveland, TN</b>	<p>Period Near the End of an Academic Term (<i>Professional employees</i>) - If leave is taken more than five (5) weeks prior to the end of the term, the Director of Schools may require the employee to continue taking leave until the end of the term if the leave is at least three (3) weeks of duration and the return of employment would occur during the three (3) week period before the end of the term.” Cleveland City School Policy, <a href="http://www.tsba.net/production/detail.asp?iFile=1638&amp;iType=5&amp;iBoard=5">http://www.tsba.net/production/detail.asp?iFile=1638&amp;iType=5&amp;iBoard=5</a> last referenced March 10, 2008.</p>
<b>Coeur d’Alene, ID</b>	<p>“If an employee begins a leave under this policy more than five weeks before the term's end, the District may required they continue the leave until the end of the term if: the leave is of at least three weeks' duration, and the return would be during the three-week period before the term's end.” Coeur d’Alene School District <a href="http://www.cdaschools.org/policies2007/BP%20430%20-%20FMLA.pdf">http://www.cdaschools.org/policies2007/BP%20430%20-%20FMLA.pdf</a>, March 10, 2008</p>
<b>College Station, TX</b>	<p>“If both spouses are employed by the District, combined family and medical leave for the birth, adoption, or placement of a child, or to care for a parent with a serious health condition may be limited to a combined total of 12 weeks as determined by the needs of the District.”</p> <p>“Eligible employees are entitled to continue their health care benefits under the same terms and conditions as when they were on the job and are entitled to return to their previous job or an equivalent job at the end of their leave. Under some circumstances, teachers who are able to return to work at or near the conclusion of a semester may be required to continue their leave until the end of the semester.” College Station Independent School District Policy <a href="http://www.csisd.org/pages/hr_handbook_fammed.html">http://www.csisd.org/pages/hr_handbook_fammed.html</a> last referenced March 10, 2008</p>
<b>Colorado Spring, CO</b>	<p>“Teachers adopting an infant child may receive leave under this policy upon taking custody of the infant child. Upon request, leave of absence without pay up to one year shall be granted to male teachers to care for an infant child.” District 11 Policy <a href="http://www.d11.org/boe/policies/gccac.pdf">http://www.d11.org/boe/policies/gccac.pdf</a>, March 10, 2008</p>
<b>Columbia, MO</b>	<p>“However, medical certification shall only be required for any period of requested leave for such purpose occurring more than four (4) weeks prior to the expected due date, as determined by the employee’s physician, or more than six (6) weeks after the birth of the child. If the employee qualifies for leave under the FMLA, the entire portion of the leave taken for pregnancy-related disability will count towards the employee's FMLA leave.” Columbia Public Schools <a href="http://www.columbia.k12.mo.us/policies/GCBDA-C.pdf">http://www.columbia.k12.mo.us/policies/GCBDA-C.pdf</a>, March 10, 2008</p>
<b>Columbia, SC</b>	<p>“If a husband and wife entitled to leave are employed by the school district and both take leave for the birth or placement of a child, or to care for a seriously ill parent, the aggregate number of workweeks of leave to which both may be entitled may not exceed 12 workweeks during any 12-month period.”</p> <p>“If an eligible employee employed principally in an instructional capacity begins leave more than five weeks prior to the end of an academic semester, the superintendent or his/her designee, in consultation with the school principal, may require the employee to continue taking leave until the end of the semester under the following conditions.”-Richland County School District #2 <a href="http://policy.microscribepub.com/cgi-bin/om_isapi.dll?clientID=208862192&amp;depth=2&amp;infobase=richland2.nfo&amp;record={96C}&amp;softpage=PL_frame">http://policy.microscribepub.com/cgi-bin/om_isapi.dll?clientID=208862192&amp;depth=2&amp;infobase=richland2.nfo&amp;record={96C}&amp;softpage=PL_frame</a>, last referenced March 10, 2008</p>
<b>Columbus, GA</b>	<p>“Employees will be required to use all personal or sick leave before unpaid leave may be utilized except in the event of birth of a child when the employee elects to take additional time beyond the medical disability period for bonding or first year care of the child. Sick leave cannot be used beyond the period of medical disability of the employee and such time must be leave without pay. Any eligible leave requested and taken by an employee under this.” Columbia County Schools, <a href="http://www1.ccboe.net/boepolicies/g/gbric.pdf">http://www1.ccboe.net/boepolicies/g/gbric.pdf</a>, last referenced March 10, 2008</p>

<b>Columbus, OH</b>	<p>“A teacher anticipating the birth or adoption of a child to the family may request and shall be granted an unpaid maternity, paternity, or adoptive leave of absence,”</p> <p>“The requested duration of such leave shall be for the remainder of the semester in which the leave commences and not to exceed the four subsequent semesters.</p> <p>All such leaves must terminate at the end of a school year.”</p> <p>Agreement between the Columbus Board of Education and the Columbus Education Association <a href="http://www.ceahio.org/staticDocs/CEA_Master_Agreement_071121.pdf">http://www.ceahio.org/staticDocs/CEA_Master_Agreement_071121.pdf</a>, last referenced March 13, 2008</p>
<b>Corpus Christi, TX</b>	<p>FMLA with restrictions</p> <p><a href="http://www.tasb.org/policy/pol/private/178904/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/178904/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, Corpus Christi Independent School District last referenced March 10, 2008</p>
<b>Corvallis, OR</b>	<p>“In addition to the 12 work weeks of leave authorized above, under state law a female employee may take an additional 12 work weeks of leave within any one-year period for an illness, injury or condition related to pregnancy or childbirth that disables the employee from performing her work duties. An employee who takes 12 work weeks of OFLA leave for parental leave may also take up to an additional 12 work weeks of sick child leave within the same leave year. If the employee takes less than 12 work weeks of parental leave, however, no additional sick child leave is available, except for the balance of the initial 12 weeks. The employee may also use this balance for any OFLA leave purpose.”</p> <p>Corvallis School Board Policy as per email March 10, 2008</p>
<b>Cumberland, MD</b>	<p>“Female tenured teachers shall, at their request, be granted a leave of absence without pay, for child bearing and/or child rearing for such period of time as they specify within the then current school year. In the event the teacher requests to extend said leave beyond the school year in which it is granted, the teacher shall notify the superintendent of that intent by June 1. Upon notification, said leave will be extended for one (1) full school year unless the teacher and the Board mutually agree to a shorter period of time, or unless otherwise provided by law.”</p> <p>Allegany School District</p> <p><a href="http://www.acps.alconet.org/assets/uploads/file/Unit%201%20Contract(1).pdf">http://www.acps.alconet.org/assets/uploads/file/Unit%201%20Contract(1).pdf</a> last referenced March 10, 2008.</p>
<b>Dallas, TX</b>	<p>FMLA with restrictions</p> <p>Dallas Independent School District</p> <p><a href="http://www.tasb.org/policy/pol/private/057905/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/057905/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a> last referenced March 10, 2008</p>
<b>Dalton, GA</b>	<p>“In cases where both spouses are employed by the Dalton Board of Education, the combined amount of leave for child birth, adoption and family illness is limited to 12 weeks. If the eligible employee begins leave more than five weeks prior to the end of the academic term, the employee may be required to continue taking leave until the end of such term, if The leave is of at least three weeks’ duration; and The return to employment would occur during the three-week period before the end of such term.” Georgia School Board Policy</p> <p><a href="https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRIG&amp;Sch=4050&amp;S=4050&amp;RevNo=1.11&amp;C=G&amp;Z=P">https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRIG&amp;Sch=4050&amp;S=4050&amp;RevNo=1.11&amp;C=G&amp;Z=P</a>, last referenced March 10, 2008</p>
<b>Danville, IL</b>	<p>“Upon application an employee shall be eligible for maternity leave without pay for a period not in excess of one semester for school term employees or six months for 12 month employees.”</p> <p>Danville School District #118</p> <p><a href="http://www.danville.k12.il.us/Board/policy_pdf/policy_art_4_personnel_10_25_06.pdf">http://www.danville.k12.il.us/Board/policy_pdf/policy_art_4_personnel_10_25_06.pdf</a> last referenced March 10, 2008</p>
<b>Danville, VA</b>	<p>“Upon request to the Danville School Board, the unpaid leave available following the birth or adoption of a child may be extended for the remainder of the school year in which the leave commences and may be extended for one contract year.</p> <p>If the employee begins his or her leave five or more weeks prior to the end of the semester, and the period of leave is for more than three weeks, and the employee seeks to return during the last three weeks of the semester, the Superintendent may require the employee to wait until the next semester to return from leave.”--Danville Public School District</p> <p><a href="http://web.dps.k12.va.us/dps/policy_manual/4000/HTML/P4210.10.htm">http://web.dps.k12.va.us/dps/policy_manual/4000/HTML/P4210.10.htm</a> last referenced March 10, 2008</p>



<b>Dayton, OH</b>	<p>“Such leave of absence may be granted for a maximum of four consecutive semesters, including that portion of the semester in which the adoption may take place.”</p> <p>Dayton Public School Policy  <a href="http://www.dps.k12.oh.us/export/sites/default/dps_policy_manual.pdf">http://www.dps.k12.oh.us/export/sites/default/dps_policy_manual.pdf</a> last referenced March 10, 2008</p>
<b>Decatur, AL</b>	<p>Up to a year</p> <p>-Decatur City Schools Policy as per email correspondence March 24, 2008</p>
<b>Deltona, FL</b>	<p>“Employees are eligible for long-term leave of absence for a period of one full year for illness, maternity leave, maternity/infant care, or caring for a sick member of the employee’s family.  b. An employee is eligible for maternity leave without pay for a period not to exceed one (1) year.”--Volusia County School District  <a href="http://www.volusia.k12.fl.us/LegalServices/417.pdf">http://www.volusia.k12.fl.us/LegalServices/417.pdf</a>, last referenced March 10, 2008</p>
<b>Denver, CO</b>	<p>Similar to that of FMLA  Denver Public School District  <a href="http://ed.dpsk12.org:8080/policy/FMPro?-db=policy.fp3&amp;-format=detail.html&amp;-lay=html&amp;-sortfield=File&amp;-op=eq&amp;Category=Personnel&amp;-recid=125&amp;-find">http://ed.dpsk12.org:8080/policy/FMPro?-db=policy.fp3&amp;-format=detail.html&amp;-lay=html&amp;-sortfield=File&amp;-op=eq&amp;Category=Personnel&amp;-recid=125&amp;-find</a>, last referenced March 10, 2008</p>
<b>Des Moines, IA</b>	<p>Similar to that of FMLA  As per email March 10, 2008</p>
<b>Dothan, AL</b>	<p>“Maternity leave, without pay, may be granted to the employee upon request for a period of time which is less than one scholastic year. The Board declines to grant full year maternity leave without pay.”  Dothan City Schools Policy  As per fax received May 9, 2008.</p>
<b>Dover, De</b>	<p>“Leave of absence for maternity will be granted to professional employees according to the most recent regulations of the State Board of Education. It is the purpose of these regulations to indicate the terms under which an employee of the Delaware public school system shall be guaranteed return to employment following pregnancy or other temporarily disabling illness.”  Capital School District  <a href="http://www.capital.k12.de.us/BoardPolicies/500-10%20Absences,%20Leaves%20Policy.pdf">http://www.capital.k12.de.us/BoardPolicies/500-10%20Absences,%20Leaves%20Policy.pdf</a>, last referenced May 5, 2008.</p>
<b>Duluth, MN</b>	<p>“Parental Leave: Up to six (6) months of unpaid parental leave shall be granted to a father or mother in conjunction with the birth or adoption of a child. In order to be eligible for parental leave, the teacher must request the parental leave in writing to the Executive Director of Human Resources at least two (2) months in advance of the commencement of the leave and must commence the parental leave no more than six (6) weeks after the birth or adoption of the child, except that in the case where the child must remain in the hospital longer than the mother, the leave may not begin more than six (6) weeks after the child leaves the hospital. Upon expiration of the parental leave and return to work, the teacher shall be assigned to the teacher's former position unless it has been eliminated.”  Duluth Schools ISD 709 Collective Bargaining Agreement  <a href="http://www.duluth.k12.mn.us/education/sctemp/1d4f9b9affd6cffe339786727cd88020/1209666786/DFT_Teachers_2007-2009_FINAL.pdf">http://www.duluth.k12.mn.us/education/sctemp/1d4f9b9affd6cffe339786727cd88020/1209666786/DFT_Teachers_2007-2009_FINAL.pdf</a>, last referenced May 1, 2008.</p>
<b>Durham, NC</b>	<p>Up to a year of unpaid leave  Durham Public Schools Policy  <a href="http://www.ncpublicschools.org/docs/fbs/personnel/benefits/policymanual.pdf">http://www.ncpublicschools.org/docs/fbs/personnel/benefits/policymanual.pdf</a>, last referenced May 5, 2008.</p>
<b>Erie, PA</b>	<p>“Maternity leave not to exceed one year shall be granted at the request of an employee.”  ““In no case shall the employee be required to leave prior to childbirth unless she can no longer satisfactorily perform the duties of her position.”  Erie City School District as per fax received March 10, 2008.</p>
<b>Eugene, OR</b>	<p>Up to a year  4j Eugene School District as per fax received</p>

<b>Evansville, IN</b>	<p>“Maternity leave will be granted in accord with current state statutes. Section 2 - Paternity Leave- -A male teacher will be entitled upon request to a leave without compensation to begin at any time between the birth of a child to his wife and one (1) year thereafter.” Collective Bargaining Agreement between Monroe County School Corporation and the Monroe County Education Association <a href="http://www.mccsc.edu/~personnel/contract/MCEA0609.pdf">http://www.mccsc.edu/~personnel/contract/MCEA0609.pdf</a>, last referenced March 10, 2008.</p>
<b>Fairbanks, AK</b>	<p>Similar to that of FMLA Fairbanks North Star Borough School District <a href="http://www.northstar.k12.ak.us/index.php?&amp;i_page=1&amp;i_docView=2913&amp;a_action=view&amp;m_moodle=document">http://www.northstar.k12.ak.us/index.php?&amp;i_page=1&amp;i_docView=2913&amp;a_action=view&amp;m_moodle=document</a>, last referenced March 13, 2008.</p>
<b>Fargo, ND</b>	<p>“The Human Resources department shall inform an instructional employee whenever the employee will be required to wait to return to work until the next semester because (29 C.F.R. 825.602): a. The employee's leave begins more than 5 weeks before the end of a term, the leave will last at least 3 weeks, and the employee would return during the 3-week period before the end of the semester. b. The employee's leave, for a purpose other than the employee's own serious health condition, begins during the 5-week period before the end of a term; the leave will last more than 2 weeks; and the employee would return during the 2-week period before the end of the term.”--Fargo Public Schools District Policy <a href="http://www.fargo.k12.nd.us/education/sctemp/50a195bfe1db4b1321541f44feaa8c19/1205413486/AP_5080_FMLA_7-2006.pdf">http://www.fargo.k12.nd.us/education/sctemp/50a195bfe1db4b1321541f44feaa8c19/1205413486/AP_5080_FMLA_7-2006.pdf</a>, last referenced March 13, 2008.</p>
<b>Farmington, NM</b>	<p>Similar to that of FMLA Farmington Municipal Schools Board Policy <a href="http://fc.fms.k12.nm.us/boardpolicy/Section4#4.42">http://fc.fms.k12.nm.us/boardpolicy/Section4#4.42</a>, last referenced March 13, 2008</p>
<b>Fayetteville, NC</b>	<p>“Additionally, the Cumberland County Board of Education will grant a leave of absence without pay to other employees for a period of up to one year for family leave, military leave, personal illness, or illness in the employee's immediate family that necessitates the employee's attendance.” Cumberland Board of Education <a href="http://www.ccsboardpolicy.ccs.k12.nc.us/gbri.pdf">http://www.ccsboardpolicy.ccs.k12.nc.us/gbri.pdf</a>, last referenced March 13, 2008</p>
<b>Fayetteville, AR</b>	<p>“Child rearing. A teacher may apply for such leave to be effective at any time during which the teacher has a child living at home. (A teacher adopting a child may apply for such leave to be effective prior to receiving custody, if necessary to fulfill the requirements for adoption.)” Fayetteville Public School District policy <a href="http://www.fayar.net/admin/hr/District%20Policies/DistrictPolicies/Pol4100/4150.pdf">http://www.fayar.net/admin/hr/District%20Policies/DistrictPolicies/Pol4100/4150.pdf</a> last referenced March 13, 2008</p>
<b>Flagstaff, AZ</b>	<p>Similar to that of FMLA Flagstaff Unified School district <a href="http://www.flagstaff.k12.az.us/human_resources/Cert.%20Handbook%201-06/G-2933%20GCCC-EC.pdf">http://www.flagstaff.k12.az.us/human_resources/Cert.%20Handbook%201-06/G-2933%20GCCC-EC.pdf</a>, last referenced March 13, 2008</p>
<b>Flint, MI</b>	<p>Similar to that of FMLA except for spousal limitation “In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.”-- Genesee Intermediate School District</p>
<b>Florence, SC</b>	<p>“Any employee may be granted upon request maternity/paternity leave of up to 18 months without pay for childcare associated with the birth or adoption of a child. The employee who receives maternity/paternity leave will agree to return to a position as assigned by the superintendent at a semester break following 90 days notice of intent to return. The superintendent may waive such notice if a suitable position is available.” Florence Public School District 1 <a href="http://policy.microscribepub.com/cgibin/om_isapi.dll?clientID=379121513&amp;depth=2&amp;infobase=florence.nfo&amp;record={BAC}&amp;softpage=PL_frame">http://policy.microscribepub.com/cgibin/om_isapi.dll?clientID=379121513&amp;depth=2&amp;infobase=florence.nfo&amp;record={BAC}&amp;softpage=PL_frame</a> last referenced March 13, 2008</p>
<b>Fond Du Lac, WI</b>	<p>Similar to that of FMLA As per phone conversation May 1, 2008.</p>
<b>Fort Collins, CO</b>	<p>Similar to that of FMLA Poudre School District <a href="http://www.psdschools.org/psdinfo/leadership/superintendent/policies.aspx?policyid=537">http://www.psdschools.org/psdinfo/leadership/superintendent/policies.aspx?policyid=537</a>, last referenced March 13, 2008</p>

<b>Fort Smith, AR</b>	Similar to that of FMLA Fort Smith public schools <a href="http://www.fssc.k12.ar.us/personnel/policies/certpol.pdf">http://www.fssc.k12.ar.us/personnel/policies/certpol.pdf</a> , last referenced March 13, 2008
<b>Fort Walton, FL</b>	“The School Board shall grant unpaid leave for the purpose of child bearing, adoption and/or child rearing for up to one (1) year, provided sufficient notice is given and that a contractual relationship exists which will be in effect during the period of leave.” Agreement between the Okaloosa County School District and the Okaloosa County Education Association <a href="http://www.myoce.org/contract/ocea_contract06-09.pdf">http://www.myoce.org/contract/ocea_contract06-09.pdf</a> last referenced March 13, 2008
<b>Fort Wayne, IN</b>	Similar to that of FMLA Master Contract between the Board of School Trustees of Fort Wayne Community School and Fort Wayne Education Association, Inc. <a href="http://www.fwcs.k12.in.us/PublicAffairs/FWEAContract.pdf">http://www.fwcs.k12.in.us/PublicAffairs/FWEAContract.pdf</a> , last referenced March 13, 2008
<b>Fresno, CA</b>	“Leave taken pursuant to the California Family Rights Act shall run concurrently with leave taken pursuant to the federal Family and Medical Leave Act (FMLA), except for any leave taken under the FMLA for disability on account of pregnancy, childbirth, or related medical conditions. In addition to family care and medical leave, an employee may be entitled to take pregnancy disability leave of up to four months. During the otherwise unpaid portion of pregnancy disability leave, the employee may use any accrued vacation, sick time or other paid leave. If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a total of 12 weeks. The district may require an instructional employee to continue taking a requested leave until the end of the term in any of the following situations: (29 USC 2618) 1. If the instructional employee begins a leave of three or more weeks duration more than five weeks before the end of a term and would subsequently return to work during the last three weeks of the term 2. If the instructional employee, for reasons other than his/her own serious health condition, begins a leave of more than two weeks duration during the period that begins five weeks before the end of the term and would subsequently return to work during the last two weeks of the term 3. If the instructional employee, for reasons other than his/her own serious health condition, begins a leave of more than five days duration during the period that begins three weeks before the end of the term.”- Fresno Unified School District <a href="http://www.gamutonline.net/indexframes40.html">http://www.gamutonline.net/indexframes40.html</a> , last referenced March 13, 2008
<b>Gainesville, FL</b>	“Personal leave without pay for child-rearing purposes may be granted for the remainder of the year and/or the year following the birth or adoption of a child. Such leave shall not normally be taken by both parents.” Alachua County Public Schools Collective Bargaining Agreement <a href="http://www.sbac.edu/~wpops/bargaining/contracts/TeacherAgreement-06-09.pdf">http://www.sbac.edu/~wpops/bargaining/contracts/TeacherAgreement-06-09.pdf</a> , last referenced March 13, 2008
<b>Gainesville, GA</b>	“If both spouses work for the Gainesville City Board of Education and both are eligible for FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to care for a newborn or adopted child, a child placed with the employee for foster care, or a parent with a serious health condition. Both spouses are authorized to take leave to care for a spouse or child with a serious health condition for twelve (12) weeks. If an instructional employee begins leave for a purpose other than the employees own serious health condition during the five-week period before the end of the semester, the Board of Education may require the employee to continue taking leave until the end of the semester if the leave will last more than two weeks; and the employee would return to work during the two-week period before the end of the term.”--Gainesville City School Policy <a href="https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRIG&amp;Sch=4072&amp;S=4072&amp;RevNo=1.32&amp;C=G&amp;Z=P">https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRIG&amp;Sch=4072&amp;S=4072&amp;RevNo=1.32&amp;C=G&amp;Z=P</a> , last referenced March 13, 2008
<b>Goldsboro, NC</b>	Similar to that of FMLA As per fax received from Human Resource Services of Wayne County Public Schools April 2, 2008.

<b>Grand Forks, ND</b>	<p>"In making a determination concerning the commencement and duration of a child care leave, the school board shall not, in any event, be required to:</p> <ol style="list-style-type: none"> <li>1. Grant any leave more than twelve (12) months in duration;</li> <li>2. Permit the teacher to return to his or her employment prior to the date designated in the request for child care leave." --Grand Forks Public Schools Teachers Negotiated Agreement</li> </ol> <p><a href="http://www.grandforks.k12.nd.us/education/sctemp/c830d7d2fb4601f327df80cee3d42591/1205429688/2007-09_Teacher_Neg_Agreement.pdf">http://www.grandforks.k12.nd.us/education/sctemp/c830d7d2fb4601f327df80cee3d42591/1205429688/2007-09_Teacher_Neg_Agreement.pdf</a>, last referenced March 13, 2008</p>
<b>Grand Junction, CO</b>	<p>"Use of parental leave is limited to one parent in the case where both parents are district employees. Such extended leave shall be without pay or other benefits except that the employee may, at their own expense, continue to participate in district insurance programs. Employees whose leave is under the provisions of the Family and Medical Leave Act of 1993 will receive the district share of health benefits for a maximum of twelve (12) weeks. No part of such extended leave shall be considered paid leave."--Mesa County Valley School District Policy</p> <p><a href="http://www.mesa.k12.co.us/2003/Board/Policies/documents/gcc.pdf">http://www.mesa.k12.co.us/2003/Board/Policies/documents/gcc.pdf</a>, last referenced March 13, 2008</p>
<b>Grand Rapids, MI</b>	<p>Follow FMLA</p> <p>As per phone conversation May 1, 2008.</p>
<b>Great Falls, MT</b>	<p>"<i>When Both Parents Are District Employees</i> - If both parents of a child are employed by the District, they each are entitled to a total of twelve (12) weeks of leave per year. However, leave may be granted to only one (1) parent at a time, and only if leave is taken (1) for the birth of a child or to care for the child after birth; (2) for placement of a child for adoption or foster care, or to care for the child after placement; or (3) to care for a parent (but not a parent-in-law) with a serious health condition. <i>Leave More Than Five (5) Weeks Before End of Term</i> - If an instructional employee begins FMLA leave more than five (5) weeks before the end of term, the District may require the employee to continue taking leave until the end of a semester term if."--Great Falls Public Schools</p> <p><a href="http://www.gfps.k12.mt.us/DistrictInformation/Board/BoardPolicy/bpsecfive.htm#5328">http://www.gfps.k12.mt.us/DistrictInformation/Board/BoardPolicy/bpsecfive.htm#5328</a>, last referenced March 13, 2008</p>
<b>Greeley, CO</b>	<p>"Any employee may request unpaid child care leave following the birth or adoption of a child. In no case will an employee be eligible for child care leave beyond the remainder of the first academic year and the full academic year following."</p> <p>Weld County Board Policy <a href="http://www2.greeleyschools.org/Board/Manual/toc.asp">http://www2.greeleyschools.org/Board/Manual/toc.asp</a>, last referenced March 13, 2008</p>
<b>Greenbay, WI</b>	<p>Follows FMLA</p> <p>As per phone conversation May 1, 2008.</p>
<b>Greensboro, NC</b>	<p>"If both a husband and a wife are employed by the Guilford County Schools, their combined amount of FMLA leave for the birth of a child or the placement of a child for adoption or foster care is twelve (12) weeks."</p> <p>Guilford County School Policy <a href="http://www.guilford.k12.nc.us/policies/admin_policy/gbri.htm">http://www.guilford.k12.nc.us/policies/admin_policy/gbri.htm</a>, last referenced March 13, 2008</p>
<b>Greenville, NC</b>	<p>"allows eligible employees to take up to 12 weeks of leave time to care for a newborn or adopted child within the first year of life or placement in the home. To qualify for FMLA, the employee must have worked with Pitt County Schools for at least 1250 hours the preceding year. During the 12 weeks, an employee will continue to have insurance coverage paid by the employer (employee only coverage-dependent coverage will still be maintained by the employee) and the employee will have job security. Forms to complete for maternity leave can be obtained from the school secretary. Questions relative to maternity leave should be directed to the benefits office."</p> <p>Pitt County Schools Policy</p> <p><a href="http://www.pitt.k12.nc.us/hr/files/handbook0708.pdf">http://www.pitt.k12.nc.us/hr/files/handbook0708.pdf</a>, last referenced May 1, 2008.</p>

<b>Greenville, SC</b>	<p>“Employees who become parents, either through birth or adoption, shall be eligible for a parental leave without pay for one academic year and/or a portion thereof. The purpose of parental leave is to enable employees to spend time caring for their new children with the assurance that a comparable position will be available upon their return. However, employees who take parental leave cannot be guaranteed any specific position upon their return and while on leave are equally subject, with teachers on active service, to district policies concerning reductions in force, discharge or non-renewal.”</p> <p>Greenville County School Policy  <a href="http://www.boarddocs.com/sc/greenville/Board.nsf/Public?OpenFrameSet">http://www.boarddocs.com/sc/greenville/Board.nsf/Public?OpenFrameSet</a> last referenced March 13, 2008</p>
<b>Hagerstown, MD</b>	<p>“In any case in which both spouses, who are employed with the Board, are entitled to family and/or medical leave, the aggregate number of work weeks of leave to which both are entitled to is limited to 12 work weeks during any 12-month period (rather than 12 weeks each) for the birth or adoption of a child or for the care of a sick parent. For example, if a husband and wife each want to take leave for the birth of a child, or adoption or placement of a child in foster care, the husband and wife may only take a total of 12 weeks of leave. However, each spouse would be entitled to the full 12 weeks to care for a sick spouse or child, or for reason of his or her own serious health condition.” --Washington County Public School Policy  <a href="http://www.boarddocs.com/mabe/wcps/Board.nsf/Public?OpenFrameSet">http://www.boarddocs.com/mabe/wcps/Board.nsf/Public?OpenFrameSet</a>, last referenced March 13, 2008</p>
<b>Harrisonburg, VA</b>	<p>Follows FMLA  Harrisonburg City Public Schools policy  <a href="http://www.harrisonburg.k12.va.us/employ/employee_handbook.pdf">http://www.harrisonburg.k12.va.us/employ/employee_handbook.pdf</a>, last referenced May 1, 2008.</p>
<b>Hartford, CT</b>	<p>“If both spouses are employees of the Board and request leave for the birth, placement of a child by adoption or for foster care, or to care for a seriously ill parent, they only will be entitled to a maximum combined total leave equal to twelve (12) weeks in any 12-month entitlement period. If either spouse (or both) uses a portion of the total 12-week entitlement for one of the purposes in the preceding sentence, each is entitled to the difference between the amount he or she has taken individually and the 12 weeks for FMLA leave for their own or their spouse's serious health condition in the 12-month entitlement periods.”</p> <p>“If a leave taken by an instructional employee for any reason begins more than five (5) weeks before the end of an academic term, the Board may require that employee to continue the leave until the end of the term if the leave will last at least three (3) weeks and the employee would return to work during the three-week period before the end of the term.” --Hartford Public School Policy  <a href="http://www.hartfordschools.org/downloads/boe_docs/4000_personnel.pdf">http://www.hartfordschools.org/downloads/boe_docs/4000_personnel.pdf</a>, last referenced March 14, 2008</p>
<b>Hickory, NC</b>	<p>“The natural parents of a newborn or the parents of a newly-adopted child under five years of age may request leave <u>without pay</u> for a period of up to twelve (12) months. The period of twelve (12) months may, with the approval of the Board, be extended for the remainder of the school year when this leave would otherwise end in the latter half of the school year. Once the leave period has been determined, it cannot be changed except by agreement of the employee and the Board. Hickory Public School Policy  <a href="http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=137212285&amp;depth=2&amp;infobase=hickory.nfo&amp;record={5FE}&amp;softpage=PL_frame">http://nt5.scbbs.com/cgi-bin/om_isapi.dll?clientID=137212285&amp;depth=2&amp;infobase=hickory.nfo&amp;record={5FE}&amp;softpage=PL_frame</a>, last referenced March 14, 2008.</p>
<b>Hinesville, GA</b>	<p>“If both spouses work for the Liberty County Board of Education and both are eligible for FMLA leave, they are authorized to take only a combined total of 12 weeks leave during any one 12 month period to care for a newborn or adopted child, a child placed with the employee for foster care, or a parent with a serious health condition. Both spouses are authorized to take leave to care for a spouse or child with a serious health condition for twelve (12) weeks.”</p> <p>“If an instructional employee begins leave for a purpose other than the employee's own serious health condition during the three-week period before the end of a semester, and the leave will last more than five working days, the Board of Education may require the employee to continue taking leave until the end of the semester.”-Liberty County School Policy  <a href="https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRIG&amp;Sch=4103&amp;S=4103&amp;RevNo=1.15&amp;C=G&amp;Z=P">https://eboard.eboardsolutions.com/ePolicy/policy.aspx?PC=GBRIG&amp;Sch=4103&amp;S=4103&amp;RevNo=1.15&amp;C=G&amp;Z=P</a>, last referenced March 14, 2008.</p>



<b>Hot Springs, AR</b>	<p>Similar to that of FMLA</p> <p>“The district acknowledges that teachers and employees may be eligible for entitlements provided under the Family and Medical Leave Act. Any teacher or employee is required to substitute any or all available accrued sick leave days under the Sick Leave Policy of the district for any part or all, as the case may be, of the twelve (12) weeks period of leave provided for under the Family and Medical Leave Act.”--Hot Springs School District Policy  <a href="http://www.hssd.net/index.php?q=node/35#General%20Leave">http://www.hssd.net/index.php?q=node/35#General%20Leave</a>, last referenced March 14, 2008</p>
<b>Houma, LA</b>	<p>“The Board may make the following special arrangements for teachers taking leave near the completion of a semester:</p> <ol style="list-style-type: none"> <li>1. If the teacher begins leave more than five (5) weeks prior to the end of the semester, the Board may require said teacher to continue leave until the end of the semester if the leave is of at least three (3) weeks duration and the return to work would occur during the 3-week period before the end of the semester.</li> <li>2. If the teacher begins leave for the birth of the teacher's child and subsequent care; for the placement of a child with the teacher for adoption or foster care; or in order to care for the spouse, child or parent of the teacher who has a serious health condition, within the last five (5) weeks of the semester, the Board may require the employee to continue taking leave until the end of the semester if the leave is to be longer than two (2) weeks and the return to work would occur during the last two (2) weeks of the semester.</li> <li>3. If the teacher begins leave for the same reasons as outlined in #2 above, within the last three (3) weeks of the semester and the leave is greater than five (5) working days, the Board may require the teacher to take leave until the end of the semester.”</li> </ol> <p>Terrebonne Parish School District Policy, <a href="http://www.tpsd.org/policy_manual/F-11.4a%20Family%20and%20Medical%20Leave.pdf">http://www.tpsd.org/policy_manual/F-11.4a%20Family%20and%20Medical%20Leave.pdf</a>, last accessed March 14, 2008.</p>
<b>Houston, TX</b>	<p>FMLA with spousal exception</p> <p>Houston Independent School District  <a href="http://www.tasb.org/policy/pol/private/101912/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/101912/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, last referenced March 14, 2008.</p>
<b>Huntington, WV</b>	<p>“West Virginia Code 18A-2-2a provides for extended leave without pay for pregnancy, childbirth or adoptive or infant bonding. Such leave may be requested for periods up to one (1) year. An employee shall not be required, but may use accumulated paid leave, prior to taking an extended leave. The Board shall consider employees to be entitled to extended leave in accordance with the definitions, criteria and notice procedure set forth in West Virginia Code 18A-2-2a. No policy, procedure or action by the Board shall constitute a waiver of the requirements of West Virginia Code 18A-2-2a. The explanation of extended leave is provided for general information only. Any specific questions or requests for parental leave should be directed to the Assistant Superintendent responsible for personnel.”</p> <p>Cabell County School District <a href="http://www.neola.com/cabell-wv">http://www.neola.com/cabell-wv</a>, last referenced March 14, 2008.</p>
<b>Idaho Falls, ID</b>	<p>“a teacher who is expecting to be a parent shall be entitled, upon giving notice as hereinafter provided, to a leave without pay to begin any time after the commencement of the pregnancy and to continue for a period of time up to one (1) year after a child is born. Said teacher shall notify the Superintendent in writing of the desire to take such leave, and except in case of emergency, shall give such notice at least thirty (30) days prior to the date on which the leave is to begin. The teacher shall be permitted to continue in active employment as late into the pregnancy as is desired providing the required contract duties can be performed. A teacher, having taken such leave and requesting to return early to full-time employment, may be denied such full-time employment for the balance of said leave period in those cases where the District has contracted for a replacement for the balance of said leave period.”</p> <p>Negotiated Master Contract Between Idaho Falls Education Association and Idaho Falls School District 91 <a href="http://www.d91.k12.id.us/board/ifeacontract_07-08.htm#_Toc191457566">http://www.d91.k12.id.us/board/ifeacontract_07-08.htm#_Toc191457566</a>, last referenced March 14, 2008.</p>

<b>Indianapolis, IN</b>	<p>“Section 6: Child Rearing. A leave of absence without pay spanning not more than two (2) consecutive school years shall be granted upon application to a teacher for child rearing purposes. If the requested leave is not due to birth or adoption, then the application deadline shall be June 15 immediately preceding the school year during which the leave shall be taken for Alternative Calendar schools and July 1 immediately preceding the school year during which the leave shall be taken for Regular Calendar schools. Such leave shall be without pay. The teacher normally will return at the beginning of a grading period. Other arrangements must be by agreement with the Human Resources Division. Any leave under this provision runs concurrently with FMLA.” -- Bargaining agreement with the Board of School Commissioners, Indianapolis Public Schools Bargaining agreement as per email March 14, 2008.</p>
<b>Ithaca, NY</b>	<p>Similar to that of FMLA Ithaca City School District Policy, <a href="http://ithaca.ocmboces.org/boardfiles/policies/Manual/9520.2.pdf">http://ithaca.ocmboces.org/boardfiles/policies/Manual/9520.2.pdf</a>, last referenced March 14, 2008.</p>
<b>Jackson, MS</b>	<p>“If both parents seeking leave for the birth, adoption, or placement of a child are employed in the district, they are entitled to a total leave period of 12 weeks. The following special conditions apply only to leave taken by instructional employees: A. If an instructional employee requests intermittent leave or leave on a reduced leave schedule to care for a family member or because of his or her own serious health condition, either resulting from planned medical treatment, and the employee would be on leave for more than 20% of the total number of working days over the leave period, the district may require the employee to either: 1. Transfer to an equivalent position which better accommodates the recurring leave, or 2. Take leave for periods of a particular duration not greater than the duration of the planned treatment. B. If an instructional employee begins leave more than 5 weeks before the end of a semester, the district may require the employee to continue taking leave until the end of the semester if: 1. The leave will last at least 3 weeks, and 2. The employee would return to work during the last 3 weeks of the semester.” Jackson Public School District <a href="http://www.jackson.k12.ms.us/board/policy_approved/g_personnel/gadea.pdf">http://www.jackson.k12.ms.us/board/policy_approved/g_personnel/gadea.pdf</a>, last referenced March 14, 2008.</p>
<b>Jackson, TN</b>	<p>“Any person holding a position requiring a license to teach shall be granted leave for military service, legislative service, maternity, adoption, recuperation of health, educational improvements or other sufficient reason without loss of accumulated leave credits, tenure status, or other fringe benefits. All leaves shall be requested in writing at least thirty (30) days in advance on forms provided by the Board. The 30-day notice may be waived or reduced by the director of schools upon submission of a certified statement by a physician.”-Jackson-Madison County School Board Policy <a href="http://www.tsba.net/production/detail.asp?iFile=5402&amp;iType=5&amp;iBoard=15">http://www.tsba.net/production/detail.asp?iFile=5402&amp;iType=5&amp;iBoard=15</a>, last referenced March 29, 2008.</p>
<b>Jacksonville, FL</b>	<p>Similar to that of FMLA Duval County Public School <a href="http://www.dreamsbeginhere.org/static/aboutdcps/schoolboard/downloads/SectionG_rev52506.pdf">http://www.dreamsbeginhere.org/static/aboutdcps/schoolboard/downloads/SectionG_rev52506.pdf</a>, last referenced March 14, 2008.</p>
<b>Jacksonville, NC</b>	<p>“If instructional personnel are required to take leave until the end of the academic term, only the period of leave until the employee is ready and able to return to work will be charged against the employee’s FMLA entitlement.” Onslow County School System <a href="http://onslowcounty.schoolinsites.com/Download.asp?L=2&amp;LMID=&amp;PN=DocumentUploads&amp;DivisionID=2538&amp;DepartmentID=2497&amp;SubDepartmentID=&amp;SubP=&amp;Act=Download&amp;T=2&amp;I=3472">http://onslowcounty.schoolinsites.com/Download.asp?L=2&amp;LMID=&amp;PN=DocumentUploads&amp;DivisionID=2538&amp;DepartmentID=2497&amp;SubDepartmentID=&amp;SubP=&amp;Act=Download&amp;T=2&amp;I=3472</a>, last referenced March 14, 2008.</p>
<b>Jefferson City, MO</b>	<p>Similar to that of FMLA as per fax received March 14, 2008</p>

<b>Johnson City, TN</b>	<p>“Period Near the End of an Academic Term (<i>Certified employees</i>) - If leave is taken more than five (5) weeks prior to the end of the term, the Director of Schools may require the employee to continue taking leave until the end of the term if the leave is at least three (3) weeks of duration and the return of employment would occur during the three (3) week period before the end of the term. If the leave is taken five (5) weeks prior to the end of the term, the Director of Schools may require the employee to continue taking leave until the end of the term if the leave is greater than two (2) weeks duration and the return to employment would occur during the two (2) week period before the end of the term.”-Johnson City School District</p> <p><a href="http://www.jcschools.org/schoolboard/boardpolicy/Section5/5.305.pdf">http://www.jcschools.org/schoolboard/boardpolicy/Section5/5.305.pdf</a>, last referenced March 14, 2008.</p>
<b>Jonesboro, AR</b>	<p>“Maternity leave shall be requested on the prescribed form and will be granted by the Board on recommendation of the principal and superintendent. The employee, upon her return following her leave, will be assigned to a position for which she is certified. Maternity leave will generally be approved for only one year. Employees using maternity leave will have the option of requesting leave with pay, leave without pay, or a combination of both. Leave with pay will be based on the number of sick days the employee has accumulated. In the event that accumulated sick days will not cover the period of maternity leave, the employee can request additional days under the leave without pay policy. If leave without pay is used, the employee must use the proper procedure. In each case, the building principal must know of the absence, which type of leave will be used, and the duration of that leave.”-Jonesboro Public School District</p> <p><a href="http://170.211.100.4/policy/GCC.html">http://170.211.100.4/policy/GCC.html</a> last referenced March 14, 2008</p>
<b>Joplin, MO</b>	<p>“date mutually agreed to by the Board and the employee, and shall be for a period of not less than the remainder of the semester in which the leave commences. It may be renewed, upon written request, for up to three (3) additional semesters, in increments of not less than full semesters. During such an approved absence, the employee will not lose any paid leave benefits which she/he has accrued and, upon returning, shall be entitled to the same step in the salary a schedule which she/he had earned before leaving. During the absence, no annual salary increment or paid leave benefits will be added to those previously earned and no employee electing such leave shall be entitled, during the leave, to any paid personal illness time. Upon the expiration of such leave, the employee shall receive preferential consideration for reappointment to her/his previously held position or to one for which she/he is qualified. When leave is granted for a teacher through the end of the academic year, the teacher must respond to her/his re-election notice by April 15, indicating whether or not she/he intends to resume work at the start of the next academic year.”-Joplin School District Policy</p> <p><a href="http://www.joplin.k12.mo.us">http://www.joplin.k12.mo.us</a>, last referenced March 14, 2008.</p>
<b>Kankakee, IL</b>	<p>“The District may require an instructional employee to extend an FMLA leave through the end of an academic term under the following circumstances: a. If an instructional employee takes an FMLA leave of at least three weeks which begins more than five weeks prior to the end of an academic term, and if the employee would otherwise return to work during the last three weeks of the academic term; b. If an instructional employee takes a leave of more than two weeks for a reason other than the employee's serious medical condition, and if the leave commences during the last five weeks of the academic term and would otherwise end during the last two weeks of the term; c. If an instructional employee takes a leave for a reason other than employee's own serious medical condition which begins less than three weeks before the end of the academic term, and if the leave will last more than five days. In the case of an instructional employee who is required to take leave until the end of any academic term, only the period of leave until the employee is ready and able to return to work will be charged against the employee's FMLA entitlement.”-Kankakee School District #111 <a href="http://www.k111.k12.il.us/policy/5_185.htm">http://www.k111.k12.il.us/policy/5_185.htm</a> last referenced March 14, 2008</p>
<b>Kansas City, MO</b>	<p>Similar to that of FMLA Kansas City School District <a href="http://policy.msbanet.org/kansascity/showpolicy.php?file=GBBDA-S.KCY">http://policy.msbanet.org/kansascity/showpolicy.php?file=GBBDA-S.KCY</a>, last referenced March 14, 2008.</p>
<b>Kennewick, WA</b>	<p>Similar to that of FMLA <a href="http://www.ksd.org/Portal/Content/Policies/5000/5321-P.doc">http://www.ksd.org/Portal/Content/Policies/5000/5321-P.doc</a>, last referenced March 14, 2008.</p>



<b>Kingsport, TN</b>	<p>“Any female employee who is eligible for maternity leave may continue in active employment as late into the pregnancy as she desires, if she is able to fulfill the requirements of her position. (Male employees who request leave for the birth of a child or for the placement of a child because of adoption or foster care may be eligible under the Family Medical Leave Act; see If both spouses are employed by KCS, leave will be limited to a combined total of 12 workweeks of FMLA for the following reasons; Birth and care of a child; For the placement of a child for adoption or foster care, and to care for the newly placed child; and To care for an employee's parent who has a serious health condition.”--Kingsport City School Policy <a href="http://kcs.k12k.com/public/Policy%20Manual.pdf">http://kcs.k12k.com/public/Policy%20Manual.pdf</a>, last referenced March 14, 2008.</p>
<b>Knoxville, TN</b>	<p>Similar to that of FMLA Knox County School Policy <a href="http://www.kcs.k12tn.net/policy/g/gbric.pdf">http://www.kcs.k12tn.net/policy/g/gbric.pdf</a>, last referenced March 14, 2008.</p>
<b>La Crosse, WI</b>	<p>“81. The Board shall grant maternity leave. Maternity leave shall be granted for pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom, and any other disability that may result. The duration of the maternity leave will be determined by the woman and her physician. Under normal circumstances such leave is not expected to exceed sixty (60) working days. During the term of maternity leave, the employee may use any or all of her accumulated sick leave and receive benefits and accumulated seniority as with any other temporary disability. A. An employee who wishes to take maternity/childrearing leave shall make application in writing to the District of the expected duration of such leave at the time of the notification of the pregnancy. B. The Board shall grant teachers childrearing leave for adoption. The request for such leave should be made upon the filing of the adoption papers. Such leave shall not exceed one (1) year.” School District of La Crosse teachers contract as per email April 2, 2008.</p>
<b>Lafayette, IN</b>	<p>Similar to that of FMLA Agreement Between Lafayette Education Association, California Teachers Association, National Education Association and Lafayette School District <a href="http://www.lafsd.k12.ca.us/docs/leagree.pdf">http://www.lafsd.k12.ca.us/docs/leagree.pdf</a> last referenced March 14, 2008</p>
<b>Lake Charles, LA</b>	<p>“A teacher may be required to extend leave through the end of the semester if the intended date of return is within the last 2 or 3 weeks of the semester, depending on the date on which leave began and the length of the leave.”--Calcasieu Parish School Board Policy <a href="http://www.cpsb.org/System/policies/CAPS/CalcasieuCAPS.htm">http://www.cpsb.org/System/policies/CAPS/CalcasieuCAPS.htm</a>, last referenced March 14, 2008.</p>
<b>Lakeland, FL</b>	<p>“Parental Leave: A parental leave of absence may be granted to any employee for up to twelve (12) months for the purpose of child-rearing commencing at the birth of a child or the date of adoption of a child. Child Birth/Sick Leave: Childbirth shall be treated as an illness. Accumulated sick leave may be used during pregnancy and may be used following the birth of a child until such time as the employee and child are released by their physician.” Polk County Public School Policy <a href="http://www.polkfl.net/districtinfo/boardmembers/documents/policy/chap03/3007.pdf">http://www.polkfl.net/districtinfo/boardmembers/documents/policy/chap03/3007.pdf</a>, last referenced March 14, 2008.</p>
<b>Laredo, TX</b>	<p>Similar to that of FMLA with spousal exception Laredo Independent School District <a href="http://www.tasb.org/policy/pol/private/240901/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/240901/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, last referenced March 14, 2008.</p>
<b>Las Cruces, NM</b>	<p>“MATERNITY 1. An employee shall be granted upon request a leave to begin any time between commencement of pregnancy and birth of a child and one (1) year or after a child is born to her. Requests must be made thirty (30) days in advance of leave except in case of emergency. 2. An employee who is pregnant may continue in active employment as late into her pregnancy as she desires, provided she is able to perform her contractual duties. 3. Any portion of an employee's absence from work because of a medical disability connected with or resulting from her pregnancy may be charged to her available sick leave. (See paragraph U., Family Medical Leave Act.) I. PATERNITY Employees shall be entitled to use one week of accumulated sick leave or one week of unpaid leave for the birth of their child. (See paragraph U., Family Medical Leave Act.)”-Las Cruces Public School District <a href="http://lcps.k12.nm.us/Committees/Policies/policies_g.shtml#232">http://lcps.k12.nm.us/Committees/Policies/policies_g.shtml#232</a>, last referenced March 14, 2008.</p>

<b>Las Vegas, NV</b>	FMLA with stipulations Clark County School District <a href="http://ccsd.net/directory/pol-reg/pdf/4359_R.pdf">http://ccsd.net/directory/pol-reg/pdf/4359_R.pdf</a> , last referenced April 21, 2008.
<b>Lawrence, KS</b>	“A teacher whose performance of duty is interrupted by reason of pregnancy or pregnancy of spouse may apply for, and on application shall receive, the benefits of Maternity/Paternity Leave. Such leave shall be for the purpose of postnatal care, birth of a child, or the adoption of a child and shall be used within one year of the birth or adoption of the child.”-Master Agreement between the Lawrence Education Association and the Lawrence Public Schools Board of Education <a href="http://www.usd497.org/employment/documents/2007-2008MasterAgreement.pdf">http://www.usd497.org/employment/documents/2007-2008MasterAgreement.pdf</a> , last referenced March 14, 2008.
<b>Lebanon, PA</b>	“When both a husband and wife are employed by the District, leave under this policy is limited to an aggregate of twelve (12) work weeks during any twelve month period for the birth, adoption or foster care of a child, or to care for an immediate family member who has a serious health condition.”-Lebanon Public School Policy <a href="http://www.lebanon.k12.pa.us/docs/440_family_and_medical_leave.pdf">http://www.lebanon.k12.pa.us/docs/440_family_and_medical_leave.pdf</a> , last referenced March 15, 2008.
<b>Lewiston, ID</b>	“Pregnancy will be treated as an illness. Accumulated sick leave may be used during absence related to pregnancy. A doctor's certificate may be required to determine the length of absence. The District may request a second doctor's opinion. If the employee's accumulated sick leave is insufficient to cover the length of absence, the employee may qualify for a leave of absence without pay.” “If both spouses are employed by the District, the total leave for both spouses is limited to twelve weeks if the leave is taken for birth, adoption, or foster care of a child or to care for a sick child or parent. Additional requirements may apply to employees who are employed principally in an instructional capacity. If FMLA leave is taken close to the end of the academic term (within a few weeks), the employee may be required to continue taking the leave until the end of the term.”--Independent School District #1 Lewiston, Idaho <a href="http://www.lewiston.k12.id.us/docs/rr.pdf">http://www.lewiston.k12.id.us/docs/rr.pdf</a> , last referenced March 15, 2008.
<b>Lewiston, ME</b>	Similar to that of FMLA Lewiston Public School District <a href="http://www.lewiston.k12.me.us/~schoolcom/policies.pdf">http://www.lewiston.k12.me.us/~schoolcom/policies.pdf</a> , last referenced March 15, 2008.
<b>Lexington, KY</b>	“On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year. Thereafter, leave may be extended in increments of one (1) semester, not to exceed two (2) consecutive school years.” Fayette County District Policy <a href="http://policy.ksba.org/f02/">http://policy.ksba.org/f02/</a> , last referenced March 15, 2008.
<b>Lima, OH</b>	“In cases in which the Board employs both spouses, the total amount of FMLA leave is twelve (12) weeks for the couple, except when the leave is due to the serious health condition of either spouse or a child.”-Lima City School Policy <a href="http://www.limacityschools.org/apps/newbpolicy.nsf/NewPolicyView/F7E2EC29C54E6B2285256F26006AE305?opendocument">http://www.limacityschools.org/apps/newbpolicy.nsf/NewPolicyView/F7E2EC29C54E6B2285256F26006AE305?opendocument</a> , last referenced March 15, 2008.
<b>Lincoln, NE</b>	Similar to that of FMLA Lincoln Public School Policy <a href="http://www.lps.org/hr/handbooks/certificated/certificated_03.html#Anchor_05">http://www.lps.org/hr/handbooks/certificated/certificated_03.html#Anchor_05</a> , last referenced March 15, 2008.

<b>Logan UT</b>	<p>“Intermittent Leave and Leave Near End of Semester: Intermittent leave is available for births, adoptions, and foster care only by mutual agreement between the district and the employee. Intermittent medical leave is available upon certification of medical need, but Logan City School District may transfer the employee temporarily to an equivalent alternate position.”</p> <p>“If an instructional employee provides medical certification that the employee needs intermittent, reduced week or reduced day leave for more than 20% of the working days in the relevant school semester, the district may require the employee to choose either leave of a specified duration or temporarily transfer to an equivalent alternate position. If an instructional employee seeks to return from leave within the last three weeks of the school term, the district may require the employee to take leave through the end of the semester.”</p> <p>“Limits for Spouses both Employed by Logan City School District: Spouses who are both employed in Logan City School District are limited to a total of 12 weeks leave shared between the two spouses for (a) birth, (b) adoption/foster care or (c) care for a sick parent.”--Logan City School District</p> <p><a href="http://www.lcsd.logan.k12.ut.us/policies/prof/PROF4.HTM">http://www.lcsd.logan.k12.ut.us/policies/prof/PROF4.HTM</a>, last referenced March 15, 2008.</p>
<b>Longview, TX</b>	<p>FMLA with stipulations</p> <p>Longview Independent School District,</p> <p><a href="http://juno.lisd.org/www/pdf/Employee%20Handbook%2007-08.pdf">http://juno.lisd.org/www/pdf/Employee%20Handbook%2007-08.pdf</a> last referenced March 15, 2008.</p>
<b>Longview, WA</b>	<p>“Upon request of the employee, extension of the leave for an additional period of up to one year may be granted. If a year’s leave of absence terminates during the last three months of school, and the employee requests additional leave to the end of the school term, the Employer may extend the leave.”--Collective Bargaining Agreement between Longview School District No. 122 and Longview Education Association.</p> <p><a href="http://www.longview.k12.wa.us/HR2/CBA%20FINAL%20FINAL%20LEA.pdf">http://www.longview.k12.wa.us/HR2/CBA%20FINAL%20FINAL%20LEA.pdf</a>, last referenced March 15, 2008.</p>
<b>Los Angeles, CA</b>	<p>“childcare leave immediately following pregnancy leave, birth or adoption, but only for the balance of the semester or track, e.g., (July 1-December 31 and January 1-June 30) in which the childcare leave commenced; and only if the combined pregnancy leave and childcare leave does not exceed two semesters. As an exception that the childcare leave must immediately follow pregnancy leave, birth, or adoption for return rights, the family care and medical leave may interrupt that sequence. However, each leave must immediately follow the other and the childcare leave will be granted only for the balance of the semester or track in which the childcare leave commenced. In addition, the combination of the leaves shall not exceed two semesters.”</p> <p>2006-2009 Agreement Los Angeles Unified School District and United Teachers Los Angeles</p> <p><a href="http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/LAUSDNET/OFFICES/STAFF_RELATIONS/UNION_CONTRACTS/UNION_CONTRACTS_UTLA/2006-2009%20CONTRACT2.PDF">http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/LAUSDNET/OFFICES/STAFF_RELATIONS/UNION_CONTRACTS/UNION_CONTRACTS_UTLA/2006-2009%20CONTRACT2.PDF</a>, last referenced March 15, 2008.</p>
<b>Louisville, KY</b>	<p>“An employee of the Jefferson County Public School District may be granted upon written request an unpaid leave of absence for the purpose of fulfilling adoption requirements or for rearing the employee's pre-school child(ren). A single child rearing/adoption leave may be granted for a period of no less than thirty (30) days and no more than two (2) consecutive school years or a major portion thereof. Part-time, initial probationary, temporary, seasonal and substitute employees and student workers are not eligible for child rearing/adoption leave, except as provided by federal law.”</p> <p>Jefferson County Public Schools Policy</p> <p><a href="http://www.jefferson.k12.ky.us/Departments/GeneralCounsel/boardpolicy0702.pdf">http://www.jefferson.k12.ky.us/Departments/GeneralCounsel/boardpolicy0702.pdf</a>, last referenced March 15, 2008.</p>
<b>Lubbock, TX</b>	<p>FMLA stipulations</p> <p>Lubbock Independent School District Policy</p> <p><a href="http://www.tasb.org/policy/pol/private/152901/pol.cfm?DisplayPage=DEC(LOCAL).pdf&amp;QueryText=MATERNITY">http://www.tasb.org/policy/pol/private/152901/pol.cfm?DisplayPage=DEC(LOCAL).pdf&amp;QueryText=MATERNITY</a>, last referenced March 15, 2008.</p>

<b>Lynchburg, VA</b>	Extended leave for maternity <a href="http://www.lcsedu.net/departments/personnel/leave/">http://www.lcsedu.net/departments/personnel/leave/</a> as per website last referenced March 15, 2008.
<b>Madera, CA</b>	“Any unused sick leave credit may be used by the unit member for pregnancy/disability purposes without loss of compensation.” “Upon exhaustion of all accumulated sick leave credit, an employee who continues to be absent for disabilities caused or contributed to by pregnancy, miscarriage, or childbirth shall receive differential pay (regular salary less substitute pay) for a period not to exceed five (5) months consistent with Education Code Section 44977.” Collective Bargaining Agreement between Madera Unified School District and Madera Unified Teachers Association <a href="http://www.madera.k12.ca.us/dmdocuments/MUTA_CBA.pdf">http://www.madera.k12.ca.us/dmdocuments/MUTA_CBA.pdf</a> , last referenced March 15, 2008.
<b>Madison, WI</b>	“Pregnancy will be treated as any other temporary medical disability in accordance with applicable state and federal laws. Thus, an employee may, with her doctor's consent, work as long as she is physically and emotionally capable of performing her professional duties. The employee shall provide to her supervisor and the Department of Human Resources a physician's statement as to the anticipated date of birth of the child and the projected period of temporary disability.” “Wisconsin and/or Federal Family Medical Leave (FMLA) may be available to qualified employees. The District's Benefits Division will assist employees in determining eligibility.”-Madison Metropolitan School District Policy <a href="http://www.madison.k12.wi.us/hr/8-09.htm">http://www.madison.k12.wi.us/hr/8-09.htm</a> , last referenced March 15, 2008.
<b>Manchester, NH</b>	Up to two years of unpaid leave Agreement between the Manchester Board of School Committee and the Manchester Education Association As per email correspondence March 29, 2008.
<b>Mansfield, OH</b>	“A staff member who is pregnant or adopting a child or becoming a parent shall, upon written request, be granted a leave of absence without pay for parental reasons. Such leave shall begin either between the beginning of the pregnancy and delivery of the child, or at the receipt of custody of the child, and may continue up to one year after the birth or receipt of custody. This may be extended for one additional year upon written application.” -Mansfield City Schools 708 (A)
<b>McAllen, TX</b>	“Husbands and wives who are both employed by the district will have a combined total of 12 weeks for the birth, adoption or placement of a child. FMLA leave may be taken intermittently for the birth of the employee's child or the adoption or placement of a child with the employee.” McAllen Independent School District <a href="http://mws.mcallen.isd.tenet.edu/_pdfs/employment/employee_handbook.pdf">http://mws.mcallen.isd.tenet.edu/_pdfs/employment/employee_handbook.pdf</a> , last referenced March 15, 2008.
<b>Medford, OR</b>	“In addition to the 12 workweeks of leave authorized above, under state law a female employee may take an additional 12 workweeks of leave within any one-year period for an illness, injury or condition related to pregnancy or childbirth that disables the employee from performing her work duties. An employee who takes 12 workweeks of OFLA leave for parental leave may also take up to an additional 12 workweeks of sick child leave within the same leave year. If the employee uses less than 12 weeks of parental leave, however, no additional sick child leave is available, except for the balance of the initial 12 weeks. The employee may also use this balance for any OFLA leave purpose.”--Medford School District 549C <a href="http://www.medford.k12.or.us/Code.asp?CodeID=1195">http://www.medford.k12.or.us/Code.asp?CodeID=1195</a> last referenced March 15, 2008
<b>Memphis, TN</b>	“The Board of Education may grant parenting leave to employees without pay for a period of time of up to six (6) months not to exceed one (1) year.” “A pregnant employee may continue to work as long as the employee's health is not endangered and does not prevent the employee from adequately performing her assigned duties. All decisions related to health shall be based on the advice and consent of the employee's physician.”-Memphis City School Policy <a href="http://www.memphis-schools.k12.tn.us/admin/Policy-Planning/policies/5.3051%20Parenting%20Leave.pdf">http://www.memphis-schools.k12.tn.us/admin/Policy-Planning/policies/5.3051%20Parenting%20Leave.pdf</a> , last referenced March 15, 2008.

<b>Merced, CA</b>	Up to a year of unpaid leave As per email May 5, 2008. Master Agreement between the Merced City School District and the Merced City Teacher Association <a href="http://www.mcsd.k12.ca.us/files/Personnel/MCTA%20MASTER%20AGREEMENT.pdf">http://www.mcsd.k12.ca.us/files/Personnel/MCTA%20MASTER%20AGREEMENT.pdf</a> , last referenced March 15, 2008.
<b>Miami, FL</b>	“A parental leave of absence with pay, if applicable, or without pay, shall be granted to an employee for the purpose of childbearing and/or rearing. The length of each leave may not exceed one year and shall be implemented as follows.”--United Teachers of Date Labor Contract <a href="http://www2.dadeschools.net/employees/labor_union/UTD/Art_XIV.pdf">http://www2.dadeschools.net/employees/labor_union/UTD/Art_XIV.pdf</a> , last referenced March 15, 2008.
<b>Ford Lauderdale, FL</b>	“An individual to whom maternity leave has been granted for one (1) year or less shall be reinstated to the same position and location or to one similar to that held at time of withdrawal, upon submission to Personnel Services of medical evidence of satisfactory physical condition. Such reinstatement shall occur only at the beginning of the work period for the individual involved. Earlier reinstatement may be requested and placement will be predicated on the availability of positions.”--Broward County Public School Policy <a href="http://www.broward.k12.fl.us/sbbcpolicies/docs/P4407.000.pdf">http://www.broward.k12.fl.us/sbbcpolicies/docs/P4407.000.pdf</a> , last referenced March 15, 2008.
<b>West Palm Beach, FL</b>	“Maternity/Recovery and Child Care.-- As set forth in greater detail in School Board Policy 3.76, an employee who is pregnant, adopting a child, or is receiving a foster child into the home, may request and be entitled to a leave of absence without pay for maternity or child care reasons to begin anytime during pregnancy (normally after recovery) or, in the case of adoption or foster child care, the receipt of custody. Leave may be granted for the remainder of the employee's term of appointment and may be extended for one (1) additional year provided that the total time away from the job is not more than eighteen (18) months. It is the responsibility of the employee to keep the supervisor informed so that appropriate administrative arrangements can be made prior to return to duty.”--The School District of Palm Beach County <a href="http://www.palmbeach.k12.fl.us/policies">http://www.palmbeach.k12.fl.us/policies</a> , last referenced March 15, 2008.
<b>Midland, TX</b>	Similar to that of FMLA with spousal exception and end-of-the year leave Midland Independent School District <a href="http://www.tasb.org/policy/pol/private/165901/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/165901/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a> , last referenced March 15, 2008.
<b>Milwaukee, WI</b>	“CHILD REARING LEAVE AFTER TEMPORARY DISABILITY LEAVE. At the conclusion of temporary disability, a leave of absence without pay shall be granted for any one (1) case of pregnancy, if so requested by the employee on a semester basis for a period not to exceed six (6) full semesters including the period of temporary disability. Upon certifying to the administration the anticipated beginning date of the temporary disability because of pregnancy, the employee shall notify the administration in writing whether she intends to take the child rearing leave beyond the period of temporary disability. The employee may change this designation at any time up to twenty (20) days after the birth of the child or her original designation shall stand.” Contract Between the Milwaukee Board of School Directors and the Milwaukee Teachers' Education Association <a href="http://mpsportal.milwaukee.k12.wi.us/portal/server.pt/gateway/PTARGS_0_2_17110_0_0_18/">http://mpsportal.milwaukee.k12.wi.us/portal/server.pt/gateway/PTARGS_0_2_17110_0_0_18/</a> , last referenced March 15, 2008.
<b>Minneapolis, MN</b>	“Unpaid parenting leaves shall not exceed one (1) calendar year, except if the expiration date of the leave occurs after April 15. In this case, the leave may be extended until the first duty day of the next school year. Sick leave may be used as needed for recovery after childbirth (maternity) or to care for newborn (paternity) if authorized by your physician.” Minneapolis Public Schools Policy <a href="http://humanresources.mpls.k12.mn.us/sites/1bf7e2b0-b01f-446f-8ce9-ea81aaf270ea/uploads/Brochure_Leave_Of_Absence_Teachers.pdf">http://humanresources.mpls.k12.mn.us/sites/1bf7e2b0-b01f-446f-8ce9-ea81aaf270ea/uploads/Brochure_Leave_Of_Absence_Teachers.pdf</a> , last referenced March 15, 2008.
<b>Missoula, MT</b>	Similar to that of FMLA Missoula County Public Schools Policy <a href="http://www.mcps.k12.mt.us/original/SchoolBoard/boardpolicies/5000/5328.htm">http://www.mcps.k12.mt.us/original/SchoolBoard/boardpolicies/5000/5328.htm</a> , last referenced March 15, 2008.



<b>Mobile, AL</b>	<p>“Maternity/Paternity Leave: Up to one year from the initial date of disability or birth/adoption of a child, whichever is earlier.”</p> <p>“Should the employee request to be cleared to return to work within three weeks of the end of a school quarter, that employee may be required to remain off work until the beginning of the next quarter. Except for the above example, maternity/paternity leaves will not be extended beyond the originally requested ending date or one year from the beginning date of the leave, whichever is earlier.”-Mobile County Public School Policy</p> <p><a href="http://www.mcps.com/Download.asp?L=1&amp;LMID=&amp;PN=DocumentUploads&amp;DivisionID=2144&amp;DepartmentID=&amp;SubDepartmentID=&amp;SubP=&amp;Act=Download&amp;T=1&amp;I=18414">http://www.mcps.com/Download.asp?L=1&amp;LMID=&amp;PN=DocumentUploads&amp;DivisionID=2144&amp;DepartmentID=&amp;SubDepartmentID=&amp;SubP=&amp;Act=Download&amp;T=1&amp;I=18414</a>, last referenced March 15, 2008.</p>
<b>Modesto, CA</b>	<p>Differential pay, up to a year</p> <p>As per phone call May 5, 2008.</p>
<b>Monroe, MI</b>	<p>“The Board of Education will grant a leave of absence for maternity disability reasons, without pay, upon written request for such leave and upon proper certification of pregnancy by the employee's physician. Such leave may be for a period of one full school year and may be renewed at the will of the Board. Any adjustments to this procedure must be approved directly by the Superintendent of Schools. A teacher who is granted a maternity disability leave may return at the step and tenure schedule in effect at the time of leave.”</p> <p>Monroe Public Schools Collective Bargaining Agreement as per email March 17, 2008.</p>
<b>Mount Vernon, WA</b>	<p>“Child Rearing Leave All employees (male and female) may be granted, at the District's discretion, up to one (1) year of unpaid leave for the purpose of child rearing a natural or adopted child. In the event that both parents of a natural or adopted child are employees of the District, they shall together be entitled to a total of one year of leave and leave shall be granted to only one parent at a time.”</p> <p>Mount Vernon Schools teachers' collective bargaining agreement as per email March 17, 2008.</p>
<b>Muncie, IN</b>	<p>FMLA</p> <p>Muncie Community Schools</p> <p>As per conversation May 5, 2008.</p>
<b>Muskegon, MI</b>	Muskegon Public Schools
<b>Myrtle Beach, SC</b>	<p>FMLA with stipulations</p> <p>Horry County School Policy</p> <p><a href="http://www3.hcs.k12.sc.us/AboutUs/SchoolBoard/Boardpages/BoardPolicies/Personnel.pdf">http://www3.hcs.k12.sc.us/AboutUs/SchoolBoard/Boardpages/BoardPolicies/Personnel.pdf</a>, last referenced March 17, 2008.</p>
<b>Napa, CA</b>	<p>“Leave taken pursuant to the state Family Care and Medical Leave Act shall run concurrently with leave taken pursuant to the federal Family and Medical Leave Act (FMLA), except for any leave taken under the FMLA for disability on account of pregnancy, childbirth, or related medical conditions. In addition to family care and medical leave, an employee may be entitled to take pregnancy disability leave of up to four months. During the otherwise unpaid portion of a pregnancy disability leave, the employee may use any accrued vacation, sick leave or extended illness leave. Leave taken for the birth or placement of a child must be initiated within one year of the birth or placement of the child. Such leave shall not be taken intermittently or on a reduced leave schedule unless the district and the employee agree otherwise. If both the parents of a child work for the district each parent may take up to 12 weeks family care and medical leave related to the birth or placement of the child.”-Napa Valley Unified School district policy</p> <p><a href="http://www.gamutonline.net/4daction/web_LoaddisplayPolicy/162688/4">http://www.gamutonline.net/4daction/web_LoaddisplayPolicy/162688/4</a>, last referenced March 17, 2008.</p>
<b>Naples, FL</b>	<p>Leave for up to a year for pregnancy</p> <p>District School Board of Collier County Policy</p> <p><a href="http://collier.k12.fl.us/board/policies/GDBDA.pdf">http://collier.k12.fl.us/board/policies/GDBDA.pdf</a>, last referenced March 17, 2008.</p>

<b>Nashville, TN</b>	<p>“1. An employee whose assignment is in a school is responsible for notifying the Personnel Office three months prior to the expiration of the leave, when applicable, as to desire to return to work or desire to have the maternity leave extended (total leave not to exceed two school years.) 2. Other employees are responsible for notifying the Personnel Office three months prior to the expiration of leave, when applicable, as to desire for employment or desire for extension of maternity leave for six months (total leave not to exceed two calendar years). 3. The Director of Personnel makes the decision as to whether or not the leave should be extended.”</p> <p>Metropolitan Nashville Public School Policy <a href="http://www.mnps.org/AssetFactory.aspx?did=3522">http://www.mnps.org/AssetFactory.aspx?did=3522</a>, last referenced March 17, 2008</p>
<b>New Haven, CT</b>	<p>“Any teacher who has acquired tenure and is expecting a child or whose spouse is expecting a child, or who has firm plans to adopt a child in the immediate future, upon request, may be granted a long-term leave for child rearing purposes. Such leave shall begin either at the start or at the mid-point of the school year, and shall end either one-half or one full school year later. The request for such leave must be made at least thirty (30) days prior to its commencement and must specify whether the request is for leave of one-half or one full year. Such leave requests shall be granted except for compelling reasons. Leave under this paragraph may be granted to non-tenured teachers in unusual circumstances at the discretion of the Superintendent.”</p> <p>The New Haven Board of Education and the New Haven Federation of Teachers, Local 933, AFT, AFL-CIO <a href="http://www.nhps.net/nhpsjobs/HR/docs/ContractFinalJune62006.pdf">http://www.nhps.net/nhpsjobs/HR/docs/ContractFinalJune62006.pdf</a>, last referenced March 17, 2008.</p>
<b>New York City, NY</b>	<p>Exceeds a year of unpaid leave</p> <p>New York Public Schools Policy <a href="http://schools.nyc.gov/NR/rdonlyres/883FCE5E-F29F-4D4F-8CA7D58C9F3E9AE2/0/FamilyHrlyEmpLeaveApp_022608.pdf">http://schools.nyc.gov/NR/rdonlyres/883FCE5E-F29F-4D4F-8CA7D58C9F3E9AE2/0/FamilyHrlyEmpLeaveApp_022608.pdf</a>, last referenced May 3, 2008.</p>
<b>Newark, NY</b>	<p>Similar to that of FMLA</p> <p>Newark Central School District</p> <p>As per phone call May 5, 2008.</p>
<b>Niles, MI</b>	<p>Similar to that of FMLA</p> <p>(with school board approval, extended unpaid leave possible)</p> <p>Niles Community School District</p> <p>As per phone call May 5, 2008.</p>
<b>Ocala, FL</b>	<p>Similar to that of FMLA</p> <p>Marion County Public Schools Policy <a href="http://www.marion.k12.fl.us/dept/hrm/docs/policies/Board%20Policy%206_542.pdf">http://www.marion.k12.fl.us/dept/hrm/docs/policies/Board%20Policy%206_542.pdf</a>, last referenced March 17, 2008 .</p>
<b>Odessa, TX</b>	<p>Similar to that of FMLA with stipulations</p> <p>Ector County Independent Schools District Policy <a href="http://www.tasb.org/policy/pol/private/068901/pol.cfm?DisplayPage=DEC(LEGAL).pdf">http://www.tasb.org/policy/pol/private/068901/pol.cfm?DisplayPage=DEC(LEGAL).pdf</a>, last referenced March 17, 2008.</p>
<b>Ogden, UT</b>	<p>“When a husband and wife both are employed by the district, both individuals together shall be limited to a total of twelve (12) calendar weeks of leave in the event of birth or adoption of a child or the illness of a parent. Leaves of absence without pay may be granted to employees upon recommendation of the Superintendent and approval of the Board for the purposes and under the conditions herein described. A Teacher may request in writing for leave of up to one (1) year. Additional leave may be granted at the discretion of the Board. This is leave without pay.”</p> <p>Professional agreement between the Ogden School District and the bargaining agent for teachers and nurses <a href="http://www.ogden.k12.ut.us/deptDocs/27/Licensed/Certified%20Negotiations%2007-08.doc">http://www.ogden.k12.ut.us/deptDocs/27/Licensed/Certified%20Negotiations%2007-08.doc</a>, last referenced March 17, 2008.</p>

<b>Oklahoma City, OK</b>	<p>"FAMILY LEAVE Employees who have been employed at least one year in this school district, may be provided up to 12 weeks of unpaid family leave. Before an employee is placed on unpaid family leave the employee must first exhaust any accumulated sick leave, personal business, and vacation leave. Such sick leave, personnel leave, and /or vacation time will be deducted from 12 work weeks of eligibility. Leave may be granted for the birth, adoption, or foster placement of a child, to care for a spouse, child, or parent who suffers from a severe health condition, or for an employee's severe health condition. Current Board policy sets out eligibility and other conditions for family leave."-Oklahoma City Public Schools Policy</p> <p><a href="http://www.okcps.org/employeecentral/Department/HR/emp_hdbk/eh_15.htm">http://www.okcps.org/employeecentral/Department/HR/emp_hdbk/eh_15.htm</a> March 17, 2008.</p>
<b>Olympia, WA</b>	<p>"Child Care Leave Leave without pay will be granted for up to one (1) year to an employee covered by this Agreement who adopts a child or obtains custody of a child through any legal means. The employee shall notify the Superintendent and the immediate supervisor as soon as possible of the employee's intention to take leave and the planned time for such leave. Leave would then begin on the first work day after custody of the child is obtained, provided that three (3) weeks written notice has been given." --Public Employee's Collective Bargaining Act of 1967, this constitutes an Agreement between the Olympia School District No. 111 (District) and the Olympia Educational Administrative Professionals Association (Association)</p> <p><a href="http://osd.wednet.edu/media/pagefiles/722.oeapa_final_2005-06.pdf">http://osd.wednet.edu/media/pagefiles/722.oeapa_final_2005-06.pdf</a>, last referenced March 17, 2008.</p>
<b>Omaha, NE</b>	<p>Leave up to one year for pregnancy</p> <p>Omaha Public Schools Policy</p> <p><a href="http://www.ops.org/ops/CENTRALOFFICES/HumanResourcesDivision/CompensationandBenefits/CertifiedFringeBenefits/tabid/632/Default.aspx">http://www.ops.org/ops/CENTRALOFFICES/HumanResourcesDivision/CompensationandBenefits/CertifiedFringeBenefits/tabid/632/Default.aspx</a>, last referenced March 17, 2008.</p>
<b>Orlando, FL</b>	<p>"For reasons relating to illness of an employee or the employee's spouse, parent, son, or daughter; adoption, or newborn child-care, the employee may take a leave of absence for a period up to 12 weeks under the provisions of the Family and Medical Leave Act of 1993. 13. Up to one year of long-term medical leave with or without pay, shall be granted to employees for personal illness, or illness or death of a member of the employee's family as defined in Florida Statutes. Any leave taken under the Family and Medical Leave Act referenced above shall count as part of the total leave taken. 14. Should an employee on long-term medical leave return to duty for a period of less than one teaching month and then require additional leave for medical reasons, such additional leave shall be considered as one period of leave if within one school year."-Classroom Teachers Association Contractual Agreement</p> <p><a href="https://www.ocps.net/es/laborrelations/bargaining/Documents/CTA%20CONTRACT2007-2008FINAL.pdf">https://www.ocps.net/es/laborrelations/bargaining/Documents/CTA%20CONTRACT2007-2008FINAL.pdf</a>, last referenced March 17, 2008.</p>
<b>Oshkosh, WI</b>	<p>"Child Rearing Leave (1) Child rearing leaves may be granted to teachers upon request for a period of up to one (1) year." Oshkosh Education Association Collective Bargaining Agreement</p> <p><a href="http://www.oshkosh.k12.wi.us/site_uploads/uploads/OEA/Master_Agreement_for_2005_07_Miniaurized.pdf">http://www.oshkosh.k12.wi.us/site_uploads/uploads/OEA/Master_Agreement_for_2005_07_Miniaurized.pdf</a>, last referenced March 17, 2008.</p>
<b>Owensboro, KY</b>	<p>"On written request, the parent of a newborn or the employee who adopts a child or children shall be granted unpaid leave of absence not to exceed the remainder of the school year. Thereafter, leave may be extended in increments of one (1) year."</p> <p>Owensboro Public Schools Policy.</p> <p><a href="http://policy.ksba.org/o04/">http://policy.ksba.org/o04/</a>, last referenced March 17, 2008.</p>
<b>Oxnard, CA</b>	<p>"Child-rearing Leave may be granted at the discretion of the District and with the approval of the school board. Under normal sets of circumstances, these leaves will only be for the remainder of that school year. Any additional time would require a reapplication to the Board of Trustees. The unit member is required to notify the District in writing by March 15<sup>th</sup> of the current year of their intention to return to active service."--("Agreement") between the Rio School District and the Rio Teachers Association/CTA/NEA, an employee organization</p> <p><a href="http://www.rio.k12.ca.us/negotiations/RTAAgreement(1)07.06.06.pdf">http://www.rio.k12.ca.us/negotiations/RTAAgreement(1)07.06.06.pdf</a>, last referenced March 17, 2008.</p>



<b>Palm Bay, FL</b>	<p>“A teacher who has been granted maternity leave may apply for an extension of such leave for child rearing. Upon approval such extension shall begin immediately following the expiration of maternity leave and be for a period of time not to exceed one (1) school year.”</p> <p>Agreement between the School Board of Brevard County and the Brevard Federation of Teachers, Local 2098, Florida Education Association, AFL-CIO, Inc., American Federation of Teachers, National Education Association</p> <p><a href="http://benefits.brevard.k12.fl.us/HR/LR/contracts/bft/InstructionalContract.pdf">http://benefits.brevard.k12.fl.us/HR/LR/contracts/bft/InstructionalContract.pdf</a>, last referenced March 17, 2008.</p>
<b>Panama City, FL</b>	<p>“Where both spouses work for the Board, their total, combined leave in any twelve (12) month period is limited to twelve (12) weeks if leave is taken for the birth or adoption of a child.”</p> <p>“A maternity/paternity/parental leave of absence without pay shall be granted to a teacher for up to two (2) academic semesters.” --Master Contract between the Bay District School Board and The Association of Bay County Educators</p> <p><a href="http://www.bay.k12.fl.us/HR/LinkClick.aspx?fileticket=kwyvGz704JE%3d&amp;tabid=36&amp;mid=376">http://www.bay.k12.fl.us/HR/LinkClick.aspx?fileticket=kwyvGz704JE%3d&amp;tabid=36&amp;mid=376</a>, last referenced March 17, 2008.</p>
<b>Parkersburg, WV</b>	<p>Similar to that of FMLA</p> <p>Wood County School District</p> <p>As per phone call May 5, 2008.</p>
<b>Pascagoula, MS</b>	<p>Similar to that of FMLA but spousal sharing of leave required</p> <p>Pascagoula School District Policy</p> <p><a href="http://psd.schoolwires.com/124110627205216793/lib/124110627205216793/files/PSD_Board_Policy_Manual_2003_Revised_080125.pdf">http://psd.schoolwires.com/124110627205216793/lib/124110627205216793/files/PSD_Board_Policy_Manual_2003_Revised_080125.pdf</a>, last referenced March 17, 2008.</p>
<b>Pensacola, FL</b>	<p>“Employees may apply for maternity leave of absence any time during pregnancy, confirmed in writing by a physician. This leave of absence may extend up to two (2) months after the birth. With a physician’s written statement of medical need and a written request by the employee, an additional four (4) months may be granted under extenuating circumstances. Maternity leave is without pay. Accrued annual leave and/or accrued sick leave may be used for maternity leave at the discretion of the employee.”--Master Contract between the School District of Escambia County, Florida and the Union of Escambia Education Staff Professionals</p> <p><a href="http://old.escambia.k12.fl.us/adminoff/humres/documents/2005-2008EESPMMASTERCONTRACT.pdf">http://old.escambia.k12.fl.us/adminoff/humres/documents/2005-2008EESPMMASTERCONTRACT.pdf</a>, last referenced March 17, 2008.</p>
<b>Philadelphia, PA</b>	<p>“Upon delivery, parental leave is granted for a period of six weeks for normal delivery or eight-weeks for a cesarean section. The six-week period consists of 42 calendar days including the date of birth and the eight-week period consists of 56 calendar days including the date of birth. (Employees requesting 8 weeks must submit medical documentation confirming the type of delivery.) Subsequent to the six or eight week leave, an employee may take an eighty-nine (89) day unpaid leave with the right to return to her position and location. (Calendar days apply in calculating 89-day unpaid leave.) For ten-month employees, the period from July 1 to August 31 is not counted in the 89-day leave.</p> <p>Employees may extend their Maternity Leave up to four years. An employee returning from an extended unpaid Maternity Leave between 90 days and two years does not have the right to return to her former position unless it is vacant. If the leave extends beyond two years, the employee has a right to return to School District employment provided there is a vacancy.”</p> <p>Philadelphia Schools Policy</p> <p><a href="http://www.phila.k12.pa.us/teachers/sick_leave.pdf">http://www.phila.k12.pa.us/teachers/sick_leave.pdf</a>, last referenced March 29, 2008.</p>
<b>Wilmington, DE</b>	<p>“MATERNITY LEAVE In accordance with Delaware Code, Title 14, §1333, Paid leave for birth of child or adoption of a child: For childcare purposes, a full-time or part-time employee of a reorganized school district shall be entitled to utilize accumulated sick leave upon the birth of a child of the employee or the employee’s spouse, or upon the adoption by the employee of a pre-kindergarten age child for maternity leave.” --Agreement between the Christina School District Board of Education and the Christina Education Association, Inc.</p> <p><a href="http://www.christina.k12.de.us/HumanResources/Contracts/Teachers/2004-2007.pdf">http://www.christina.k12.de.us/HumanResources/Contracts/Teachers/2004-2007.pdf</a>, last referenced March 20, 2008.</p>

<b>Phoenix, AZ</b>	Similar to that of FMLA Roosevelt School District #66 <a href="http://www.rsd.k12.az.us/pdf/benefits/FMLA%20OF%201993.pdf">http://www.rsd.k12.az.us/pdf/benefits/FMLA%20OF%201993.pdf</a> , last referenced March 20, 2008.
<b>Pine Bluff, AR</b>	“Chapter IV 8. Parental Leave a. A parental leave of absence without pay may be granted to a teacher for the purpose of child rearing. b. A parental leave may be granted for the remainder of a semester but not more than two semesters at any one time during one school term. c. Parental leave may be granted in extenuating family circumstances. d. A teacher adopting a child may request parental leave to commence at any time during the first year after receiving de facto custody of said child, or prior to receiving such custody if necessary in order to fulfill the requirements for adoption. e. Return to teaching service during the school year will be contingent upon vacancies for which the teacher is qualified.”--Pine Bluff School District Certified Personnel Policies <a href="http://pbweb.arsc.k12.ar.us/Employment/Employee%20Manuals/certified%20manual.pdf">http://pbweb.arsc.k12.ar.us/Employment/Employee%20Manuals/certified%20manual.pdf</a> , last referenced March 28, 2008.
<b>Pittsburgh, PA</b>	Up to 2 years for pregnancy allowable Pittsburgh Public Schools Article 33 as per fax March 25, 2008
<b>Pittsfield, MA</b>	“A. A female teacher who has been employed by the COMMITTEE for at least three consecutive months as a full-time teacher, who is absent from such employment for a period not exceeding eight (8) weeks for the purpose of giving birth or for adopting a child under the age of eighteen or for adopting a child under the age of twenty-three (23), if the child is mentally or physically disabled, said period to be hereinafter called maternity leave, and who shall give at least two (2) weeks' written notice to her Employer of her anticipated date of departure and intention to return, shall be restored to her previous, or a similar, position with the same status, pay, length of service credit and seniority, whenever applicable, as of the date of her leave. Such leave shall be unpaid to the extent the teacher's sick leave does not cover the balance.” By and between the Pittsfield School Committee and the United Educators of Pittsfield <a href="http://mail.pittsfield.net/personnel/contract/UEP05-08.pdf">http://mail.pittsfield.net/personnel/contract/UEP05-08.pdf</a> , last referenced March 28, 2008.
<b>Pocatello, ID</b>	“5.4.1.7.3 Child Rearing Teachers shall be granted a leave for child rearing purposes of up to two (2) years without pay or increment. This includes both adoption and birth.” Negotiated Agreement 2007-2008 Board of Trustees of School District No. 25 and Pocatello Education Association <a href="http://www.d25.k12.id.us/hr/negotiation_agreement.pdf">http://www.d25.k12.id.us/hr/negotiation_agreement.pdf</a> , last referenced March 29, 2008.
<b>Portland, ME</b>	“A teacher who is pregnant shall be entitle, upon request, to a leave to begin at any time during her pregnancy and to last up to one (1) year after a child is born.....A teacher who is pregnant may continue in active employment as late into her pregnancy as she desires provided she is able to perform properly her required function.” Agreement between the Portland School Committee of the City of Portland and the Portland Education Association <a href="http://www.portlandschools.org/Pages/HR/PEAStuff07/PEA2007.pdf">http://www.portlandschools.org/Pages/HR/PEAStuff07/PEA2007.pdf</a> last referenced March 29, 2008.
<b>Portland, OR</b>	“Child Care Leave a. A child care leave (maternity, paternity or adoption) shall be granted for any period up to one (1) year. Other child care leave may be granted for up to one (1) year. A unit member requesting such leave shall give at least thirty (30) days written notice except in extenuating circumstances. This leave may, upon request, be extended up to an additional year. The provisions of ORS 342.840 shall apply to probationary teachers. This leave provision shall not apply to temporary unit members.” Agreement School District No. 1, Multnomah County, Oregon and Portland Association of Teachers <a href="http://www.hr.pps.k12.or.us/docs/pg/11547">http://www.hr.pps.k12.or.us/docs/pg/11547</a> , last referenced March 29, 2008.

<b>Port St. Lucie, FL</b>	<p>“C. Maternity/Paternity or Adoption Leave: Any teacher employed on a full-time basis shall be granted Maternity/Paternity Leave without pay for a period not to exceed one (1) year. Such leave shall commence on a date determined by the teacher in consultation with the doctor and notification given to the Superintendent and Principal in writing.”</p> <p>Contract between the School Board of Saint Lucie County and the Saint Lucie County Classroom Teachers Association, Inc.</p> <p><a href="http://www.stluciateachers.com/archives/CTA2002-2007.pdf">http://www.stluciateachers.com/archives/CTA2002-2007.pdf</a>, last referenced March 20, 2008.</p>
<b>Poughkeepsie, NY</b>	<p>Similar to that of FMLA</p> <p>Poughkeepsie City School District Policy</p> <p><a href="http://policy.microscribepub.com/cgi-bin/om_isapi.dll?clientID=426418736&amp;advquery=maternity&amp;depth=8&amp;headingswithhits=on&amp;hitsperheading=on&amp;infobase=poughkeepsie.nfo&amp;record={1D07}&amp;sof=&amp;softpage=PL_frame">http://policy.microscribepub.com/cgi-bin/om_isapi.dll?clientID=426418736&amp;advquery=maternity&amp;depth=8&amp;headingswithhits=on&amp;hitsperheading=on&amp;infobase=poughkeepsie.nfo&amp;record={1D07}&amp;sof=&amp;softpage=PL_frame</a>, last referenced March 20, 2008.</p>
<b>Prescott, AZ</b>	<p>FMLA with stipulations</p> <p>Prescott Unified School District Policy</p> <p><a href="http://lp.ctspublish.com/asba/public/lpext.dll?f=templates&amp;fn=main-h.htm">http://lp.ctspublish.com/asba/public/lpext.dll?f=templates&amp;fn=main-h.htm</a>, last referenced March 20, 2008.</p>
<b>Providence, RI</b>	<p>“Written notice must be given to the Superintendent by a reasonable time but not less than thirty (30) days prior to commencement of the leave. Extenuating medical circumstances will obviate the notice of leave. The leave of absence shall extend for at least one (1) year from the beginning of said leave. A request for a shorter leave shall be according to the request of the teacher with proper medical certification that the teacher is able to return to employment. A teacher declaring her intention to resume her regular teaching duties when she is physically able to do so as certified by a physician shall be allowed to return to her former position. A written request for return from leave must be received by the Superintendent no less than thirty (30) days before the expiration of the leave.”</p> <p>Agreement between the Providence Teachers Union, AFT Local 958 and the Providence School Board</p> <p><a href="http://www.proteun.org/joint_proposal/JointProposal.htm#5">http://www.proteun.org/joint_proposal/JointProposal.htm#5</a> last referenced March 20, 2008.</p>
<b>Provo, UT</b>	<p>“6-6-1 Parental leave of absence without pay for not more than one year shall be granted a fulltime teacher upon written request, after the employee has completed the provisional period of service in the District”--Provo City School District Policy</p> <p><a href="http://www.provo.edu/emp/persinfo/pdf/pl-licensedpol0506.pdf">http://www.provo.edu/emp/persinfo/pdf/pl-licensedpol0506.pdf</a>, last referenced March 21, 2008.</p>
<b>Pueblo, CO</b>	<p>“9-3-2 Parental leave may be granted for a period of time not to exceed two (2) consecutive school work years.”</p> <p>Agreement between Pueblo Public Schools in the County of Pueblo and the state of Colorado</p> <p><a href="http://hr.pueblocitieschools.us/modules/groups/homepagefiles/cms/372935/File/Agrmnt%2006-08_PEA.pdf?sessionid=6224d42e87cc574cfcf36d9acf17e1d0">http://hr.pueblocitieschools.us/modules/groups/homepagefiles/cms/372935/File/Agrmnt%2006-08_PEA.pdf?sessionid=6224d42e87cc574cfcf36d9acf17e1d0</a>, last referenced March 21, 2008.</p>
<b>Punta Gorda, FL</b>	<p>“Maternity leave without pay may be taken by any employee who is physically disabled by reason of pregnancy. Employees on maternity leave are entitled to return to work when they are no longer physically disabled. At the request of a pregnant employee, maternity leave of up to a maximum period of one (1) year shall be granted without regard to disability. As with other physical disabilities, sick leave days may be used when a pregnant employee is physically disabled.” --Charlotte County Public Schools Agreement</p> <p><a href="http://www.ccps.k12.fl.us/Downloads/CFEA07050608.pdf">http://www.ccps.k12.fl.us/Downloads/CFEA07050608.pdf</a>, last referenced March 21, 2008.</p>
<b>Racine, WI</b>	<p>Up to a year of unpaid leave</p> <p>As per email March 27, 2008.</p>

<b>Raleigh, NC</b>	<p>“8.1.1 <u>Eligibility</u> All full-time permanent or part-time permanent employees may take a leave of absence without pay for up to one calendar year from the date of birth or adoption to care for a newborn child or a newly adopted child.</p> <p>8.1.2 <u>Leave</u> The employee may elect to use appropriate earned leave during the time of the leave (See Annual Vacation Leave - Section 3.3 and Sick Leave - Section 4.0). For the purposes of educational continuity, with the approval of the local board, the unpaid leave of absence may be extended for the remainder of the school year when the leave would otherwise end in the latter half of the school year. A husband and wife who are both employed by the same school system are limited to a combined total of 12 months of parental leave during the year following the birth or adoption.”</p> <p>-Wake County Public School System (note: all school district in North Carolina follow the same policies) <a href="http://www.ncpublicschools.org/docs/fbs/personnel/benefits/policymanual.pdf">http://www.ncpublicschools.org/docs/fbs/personnel/benefits/policymanual.pdf</a> last referenced March 21, 2008.</p>
<b>Redding, CA</b>	<p>Up to a year of unpaid leave</p> <p>Redding School District Policy as per fax received March 24, 2008</p>
<b>Reno, NV</b>	<p>FMLA with stipulations</p> <p>Agreement between the Washoe County School District and the Washoe Education Association <a href="http://www.washoe.k12.nv.us/intranet/agreements/pdfs/2005-2007_WEA_Contract_FINAL.pdf">http://www.washoe.k12.nv.us/intranet/agreements/pdfs/2005-2007_WEA_Contract_FINAL.pdf</a>, last referenced March 21, 2008.</p>
<b>Richmond, VA</b>	<p>“<i>Parental Leave With Pay</i> is granted to an employee with full pay for a period of 30 days for infant care duties following childbirth or adoption. Any employee, male or female, is eligible for <i>Parental Leave With Pay</i> upon verification of the mother's confinement date of childbirth or confirmation of adoption by the appropriate agency. This leave shall be charged against the employee's accumulated sick leave. If an extension of the employee's leave is approved beyond 30 days, he/she shall be placed on Parental Leave Without Pay status. In cases where both mother and father are employees, only one (1) shall be granted leave for any one (1) childbirth or adoption.”-Richmond Public Schools Policy</p> <p><a href="http://richmond.k12.va.us/dhrnew/adminProcedures/code9.htm#9021">http://richmond.k12.va.us/dhrnew/adminProcedures/code9.htm#9021</a>, last referenced March 21, 2008.</p>
<b>Riverside, CA</b>	<p>“Section 6 Maternity Leave.. For normal pregnancy, most physicians release employees to return to work no later than six (6) weeks after childbirth. Generally, in the absence of a physician's statement that the employee's condition would prevent her from returning to work, the Human Resources Office will assume that six (6) weeks after childbirth the employee is no longer "disabled" and is, therefore, no longer eligible for sick leave benefits. Should the employee wish to remain off work for a longer period of time for such purposes as child rearing, nursing, illness of the child and the like, an application for Parenthood Leave, which is an unpaid leave, should be submitted to the Human Resources Office. Such leave is normally granted for not less than a semester or for the remainder of the semester in which it begins. An application for Parenthood Leave prior to childbirth should request that the leave begin "at the expiration of sick leave benefits." Bargaining contract <a href="http://www.myreta.org/Contract/Contract.htm">http://www.myreta.org/Contract/Contract.htm</a>, last referenced March 21, 2008.</p>
<b>Roanoke, VA</b>	<p>“Teachers (including librarian, guidance, and similar positions) so placed on maternity leave without pay as here in provided shall be ineligible to return to work for the Roanoke County School Board until the beginning of the next semester or the beginning of the school year next following the school year during which the employee is placed on maternity leave without pay. Nonteaching employees shall be eligible to return July 1, January 1, or at the beginning of their contract date.”</p> <p>Roanoke Public Schools Policy</p> <p><a href="http://www.boarddocs.com/vsba/roecnty/Board.nsf/Public?OpenFrameSet">http://www.boarddocs.com/vsba/roecnty/Board.nsf/Public?OpenFrameSet</a> last referenced March 21, 2008.</p>
<b>Rome, GA</b>	<p>FMLA with spousal exception</p> <p>Rome City Schools Policy</p> <p><a href="http://www.gsbaepolicy.org/policy.asp?PC=GBRH&amp;S=4139&amp;RevNo=1.32&amp;C=G&amp;Z=P">http://www.gsbaepolicy.org/policy.asp?PC=GBRH&amp;S=4139&amp;RevNo=1.32&amp;C=G&amp;Z=P</a>, last referenced March 22, 2008.</p>

<b>Sacramento, CA</b>	<p>“Parental leave may be granted for up to the balance of a school year and may be extended up to a maximum of four (4) semesters.”</p> <p>Agreement between the Sacramento City Unified School District and Sacramento City Teacher’s Association <a href="http://www.scusd.edu/personnel/pdf/EmployeeRelationsSCTAAgreement7-04Thru6-07Modified11-3-05.pdf">http://www.scusd.edu/personnel/pdf/EmployeeRelationsSCTAAgreement7-04Thru6-07Modified11-3-05.pdf</a>, last referenced March 22, 2008.</p>
<b>Saginaw, MN</b>	<p>Similar to that of FMLA</p> <p>“FMLA is not counted when someone is on summer vacation.”</p> <p>Saginaw Public Schools Policy</p> <p>As per email correspondence March 25, 2008.</p>
<b>St Cloud, MN</b>	<p>More than a year possible for child care</p> <p>St. Cloud Area School District 742 as per email correspondence March 25, 2008</p>
<b>St. George, UT</b>	<p>Similar to that of FMLA with stipulations</p> <p>Washington County School District Policy</p> <p><a href="http://www2.washk12.org/policy/1000/1332_sick_leave.htm">http://www2.washk12.org/policy/1000/1332_sick_leave.htm</a> last referenced March 22, 2008.</p>
<b>St. Louis, MO</b>	<p>“Child Rearing Leave The Board of Education shall grant employees leave of absence for child rearing. An application for leave of absence for child rearing must be submitted by the employee at least 15 days before the beginning date of the leave to the employee's immediate supervisor. The immediate supervisor will process the application for leave to the Division of Human Resources at least seven days before the beginning date of the leave. Child rearing leave shall be treated the same as a leave of absence for personal illness and may begin immediately following the birth of the child when requested by the employee. Child rearing leave for the adoption of an infant or preschool child shall begin upon receiving custody of the child, or may commence at any time during the first year after receiving de facto custody of the infant or preschooler, or before receiving such custody, if necessary, to meet the requirements for adoption. Child rearing leave may be granted on a year to year - or a fraction thereof - basis up to a maximum of three years.”-</p> <p>St. Louis Public Schools Policy <a href="http://www.slps.org/Board_Education/policies/4625.htm">http://www.slps.org/Board_Education/policies/4625.htm</a>, last referenced March 22, 2008.</p>
<b>Salem, OR</b>	<p>“1. Parental Leave Without Pay</p> <p>a. A male or female employee shall be granted leave up to one (1) calendar year upon request for purposes of childbirth and for care of natural or adopted infant children subject to the following conditions:</p> <p>(1) The beginning and end of such leave shall be determined by employee.</p> <p>(2) An individual assigned to an elementary school who takes parental leave beginning January 1 or after will upon request be granted leave through the end of the next school year.</p> <p>(3) An individual assigned to a secondary school who takes parental leave beginning second semester or after will upon request be granted leave through the end of the next school year.”</p> <p>Collective Bargaining Agreement 2006-2010 between Salem-Keizer School District 24J and Salem Education Association</p> <p><a href="http://www.salkeiz.k12.or.us/staffcenter/Contracts/Licensed/Licensed06-10.pdf">http://www.salkeiz.k12.or.us/staffcenter/Contracts/Licensed/Licensed06-10.pdf</a> last referenced March 22, 2008.</p>
<b>Salinas, CA</b>	<p>“11.13 Maternity Leave 11.13.1 Unit member are entitled to sick leave upon request for required absences due to inability to work caused by pregnancy, miscarriage, childbirth, and recovery therefrom, in accordance with the Education Code. The length of such absence, including its beginning and ending dates, shall be determined by the unit member and her physician.”</p> <p>Monterey County School District</p> <p><a href="http://monterey.k12.ca.us/human_resources/hr_downloads/mcoeta_contract0708.pdf">http://monterey.k12.ca.us/human_resources/hr_downloads/mcoeta_contract0708.pdf</a>, last referenced April 24, 2008.</p> <p>Differential Pay as per phone call April 25, 2008.</p>



<b>Salisbury, MD</b>	<p>“ARTICLE 9 Parental Leave 9.1 LEAVE REQUEST - A leave of absence without pay shall be granted to tenured teachers at their request for child bearing, for rearing of children up to age 6, or for caring of unmarried children who are mentally or physically incapable of caring for themselves thus requiring custodial care. The period of time, not to exceed one year, shall be specified by the teacher, provided, however, that the year shall be extended as necessary to meet the requirements of Section 9.4. In no case shall the leave extend beyond the beginning of the second school year. This provision shall not preclude the possibility of said leave being extended to non-tenured teachers, provided, however, that said leave does not extend beyond the limits of the teachers’ individual contracts. Except in the case of emergency, the teacher shall give thirty (30) days’ notice prior to beginning.”-Agreement between the Wicomico County Board of Education and the Wicomico County Education Association  <a href="http://www.wcboe.org/departments/HR/Agreements/Teachers%2007-10.pdf">http://www.wcboe.org/departments/HR/Agreements/Teachers%2007-10.pdf</a>, last referenced March 22, 2008.</p>
<b>Salt Lake City, UT</b>	<p>Similar to that of FMLA  Written Agreement Based on Principles of Shared Governance between The Board of Education of the Salt Lake City School District &amp; The Salt Lake Teachers Association  <a href="http://www.slc.k12.ut.us/depts/hr/pdf/teach_writagree.pdf">http://www.slc.k12.ut.us/depts/hr/pdf/teach_writagree.pdf</a>, last referenced March 22, 2008.</p>
<b>San Angelo, TX</b>	<p>Similar to that of FMLA with stipulations  San Angelo Independent School District Policy  <a href="http://www.saisd.org/media/docs/hr_docs/2007-2008/2007EmployeeHandbookRev8-1-07.pdf">http://www.saisd.org/media/docs/hr_docs/2007-2008/2007EmployeeHandbookRev8-1-07.pdf</a>  March 22, 2008.</p>
<b>San Antonio, TX</b>	<p>FMLA with stipulations  San Antonio Independent School District Policy  <a href="http://www.tasb.org/policy/pol/private/015907/pol.cfm?DisplayPage=DEC(LOCAL).pdf">http://www.tasb.org/policy/pol/private/015907/pol.cfm?DisplayPage=DEC(LOCAL).pdf</a>  last referenced April 4, 2008.</p>
<b>San Francisco, CA</b>	<p>“Extended Sick Leave: Teachers are entitled to 100 paid extended sick days minus substitute pay upon exhausting a sick leave (except DTD sub and hourly teachers). Upon exhaustion of extended sick days, the employee must return to work or apply for an unpaid leave. Teachers may apply for an unpaid leave for up to 1 school year. At the end of the extended leave, permanent teachers have return rights to their previous position within 1 year of leave.”  San Francisco Unified School District Policy  <a href="http://portal.sfusd.edu/template/?page=hr.emp.loa">http://portal.sfusd.edu/template/?page=hr.emp.loa</a> last referenced April 2, 2008.</p>
<b>Oakland, CA</b>	<p>“In addition to above, a unit member may request unpaid leave prior to and following pregnancy leave or childbirth for a period of one year. A unit member whose spouse or partner is pregnant or involved in adopting a child may request an unpaid leave for a period of one year. Leaves may be extended for a one year period upon request and approval by the Employer for a maximum total of three years. Unit members on a non-paid maternity leave shall have the same fringe benefits as stated in Pregnancy Leave for that period of time the physician certifies they are disabled.”  Oakland Unified School District agreement  <a href="http://webportal.ousd.k12.ca.us/docs/OEA%20Contract%2005-08%20-%20CONTRACT%20only%20.pdf">http://webportal.ousd.k12.ca.us/docs/OEA%20Contract%2005-08%20-%20CONTRACT%20only%20.pdf</a>, last referenced April 4, 2008.</p>
<b>San Jose, CA</b>	<p>“The maternity leave shall not exceed one year. Employees commencing maternity leave prior to the sixth school month shall return to work no later than the following September. Employees commencing maternity leave after the fifth school month shall return to work no later than the following January.”  San Jose Unified School District Policy  <a href="http://www.sjUSD.org/school/district/info/C1422/">http://www.sjUSD.org/school/district/info/C1422/</a>, last referenced May 3, 2008.</p>

<b>San Luis, CA</b>	<p>“J. <u>Personal Leave</u> The Board of Education may, upon application of the unit member and recommendation of the Superintendent, grant a leave without pay to a permanent unit member for a period not to exceed two years (with the exception of items number 8, 9, and 11 below). The employee must indicate in the application the length of the leave and must adhere to the length of the leave as requested without the possibility for extending or shortening the leave period. With regard to leave to serve in a public office, for reasons of ill health, or for infant care leave (items 8, 9, and 11 below), the initial leave request may be for a period of up to one year.”</p> <p>Agreement between San Luis Coastal Unified District and San Luis Coastal Teachers Association 2006-09</p> <p><a href="http://www.slcusd.org/assets/departments/personnel/slcta_2006_09_contract.pdf">http://www.slcusd.org/assets/departments/personnel/slcta_2006_09_contract.pdf</a>, last referenced April 4, 2008</p>
<b>Santa Cruz, CA</b>	<p>“10.3 Maternity Disability Leave 10.3.1 This leave commences with the onset of disability due to pregnancy. The employee may claim sick leave pay and extended disability pay for no more than that limited period of time when the employee's physician or licensed mid-wife certifies, in writing, on the form provided by the County Superintendent, that she was actually physically disabled from performing her duties because of pregnancy, miscarriage, childbirth, recovery there from. In any event, this leave will not exceed those periods provided by paragraphs 10.1 or 10.2, above. 10.3.2 At least four (4) months prior to the expected birth of the child, the employee shall submit to the County Superintendent, a physician's or licensed mid-wife's statement noting the expected date of birth. An employee may continue to work until the onset of physical disability as verified in writing by the employee's physician or licensed mid-wife on a form provided by the County Superintendent.”-By and Between the Santa Cruz County Education Association/CTA/NEA and the Santa Cruz County Superintendent of Schools</p> <p><a href="http://www.santacruz.k12.ca.us/student_services/hr/pubs/sccea_unit_agreement_2007-10.pdf">http://www.santacruz.k12.ca.us/student_services/hr/pubs/sccea_unit_agreement_2007-10.pdf</a></p>
<b>Santa Fe, NM</b>	<p>Up to a year of leave allowable for pregnancy</p> <p>Santa Fe Public School Policy</p> <p><a href="http://backweb.sfps.info/sfps/docs/school_policies/Policies_200_Series.pdf#nameddest=263">http://backweb.sfps.info/sfps/docs/school_policies/Policies_200_Series.pdf#nameddest=263</a>, last referenced April 4, 2008.</p>
<b>Santa Rosa, CA</b>	<p>Differential substitute pay</p> <p>As per email received May 1, 2008.</p>
<b>Sarasota, FL</b>	<p>FMLA with stipulations</p> <p>Sarasota County Schools Policy</p> <p><a href="http://www.sarasota.k12.fl.us/Policy/">http://www.sarasota.k12.fl.us/Policy/</a>, last referenced April 4, 2008.</p>
<b>Savannah, GA</b>	<p>FMLA with exceptions</p> <p>Savannah-Chatham County Public School System</p> <p><a href="http://www.gsbaepolicy.org/policy.asp?PC=GBRIG&amp;S=4140&amp;RevNo=1.48&amp;C=G&amp;Z=P">http://www.gsbaepolicy.org/policy.asp?PC=GBRIG&amp;S=4140&amp;RevNo=1.48&amp;C=G&amp;Z=P</a>, last referenced April 4, 2008.</p>
<b>Everett, WA</b>	<p>“Child Care Leave: An employee shall be granted upon his/her request, leave of absence without pay and benefits for a period not to exceed one (1) year to care for his/her newborn child.”</p> <p>Collective Bargaining Agreement between the Everett Education Association/United Teachers of Everett and the Everett School District No. 2</p> <p><a href="http://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-1384/2006-09+EEA+CBA.final-revisedcalendar.pdf">http://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-1384/2006-09+EEA+CBA.final-revisedcalendar.pdf</a>, last referenced April 4, 2008.</p>
<b>Sheboygan, WI</b>	<p>Similar to that of FMLA</p> <p>Professional Agreement Between the Sheboygan Education Association and the Sheboygan Area School District Board of Education.</p> <p><a href="http://www.sheboygan.k12.wi.us/hr/documents/SEA0509Agreement.pdf">http://www.sheboygan.k12.wi.us/hr/documents/SEA0509Agreement.pdf</a>, last referenced April 4, 2008.</p>
<b>Sherman, TX</b>	<p>FMLA with stipulations</p> <p>Sherman Independent School District</p> <p><a href="http://www.shermanisd.net/hr/Policies/DEC.pdf">http://www.shermanisd.net/hr/Policies/DEC.pdf</a>, last referenced April 4, 2008.</p>
<b>Sioux City, IA</b>	<p>Similar to that of FMLA</p> <p>Sioux City Community Schools Policy</p> <p><a href="http://www.siouxcityschools.org/pages/uploaded_files/404_8.pdf">http://www.siouxcityschools.org/pages/uploaded_files/404_8.pdf</a>, last referenced April 4, 2008.</p>

<b>Sioux Falls, SD</b>	Similar to that of FMLA Collective Bargaining Agreement between the School Board of the Sioux Falls School District 49-5 and the Sioux Falls Education Association <a href="http://www.sf.k12.sd.us/CustomControls/DeliverPublicDocument.aspx?doc=1586">http://www.sf.k12.sd.us/CustomControls/DeliverPublicDocument.aspx?doc=1586</a> , last referenced April 4, 2008.
<b>Spartanburg, SC</b>	Similar to that of FMLA as per email communication April 9, 2008.
<b>Springfield, IL</b>	Up to 2 years unpaid leave Also have a provision for teachers who do not have enough sick leave, can use sick bank. Springfield Public School Bargaining Agreement As per phone call May 5, 2008.
<b>Springfield, MO</b>	“1. Leave of Absence Without Pay (Medical) – A tenured staff member or employee who has worked five (5) or more years with the District may request an unpaid leave of absence for up to one school year for the employee’s medical condition. This leave of absence will only be granted after the employee has exhausted all of his or her paid leave time and upon certification from the employee’s physician, which is satisfactory to the District, that the employee is unable to perform his or her duties due to a physical or mental condition. This leave shall be taken in conjunction with any leave taken pursuant to the Family and Medical Leave Act (“FMLA”) and must be for the same purpose which necessitated the employee’s FMLA leave.” Springfield Public Schools Policy <a href="http://springfieldpublicschools.org/board/PolicyG/FileGBBDC.pdf">http://springfieldpublicschools.org/board/PolicyG/FileGBBDC.pdf</a> , last referenced April 4, 2008.
<b>Springfield, OH</b>	“2. The duration of a maternity or child care leave of absence shall be no longer than two (2) years, but may be renewed by the Board upon request of the teacher. The teacher shall notify the Assistant Superintendent, Human Resources of intent to return from leave no later than July 10, if the intent is to return for the ensuing school year. The right to return from leave other than the beginning of the school year shall be dependent upon an available opening in the teacher's field of certification.”--Professional Agreement between the Board of Education, Springfield Ohio and Springfield Education Association <a href="http://www.spr.k12.oh.us/employment/documents/SEA%20Final%20Contract%202006_2009.pdf">http://www.spr.k12.oh.us/employment/documents/SEA%20Final%20Contract%202006_2009.pdf</a> , last referenced April 4, 2008.
<b>State College, PA</b>	Up to a year of unpaid leave State College Area School District As per email April 4, 2008
<b>Stockton, CA</b>	“Under the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12- month period before the date you want to begin your leave, you may have a right to an unpaid family care or medical leave (CFRA leave). This leave may be up to 12 work weeks in a 12- month period for the birth, adoption or foster care placement of your child or for your own serious health condition or that of your child, parent or spouse. Even if you are not eligible for CFRA leave, if you are disabled by pregnancy, childbirth or related medical conditions, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. If you are CFRA-eligible, you have certain rights to take BOTH a pregnancy disability leave and a CFRA leave for reason of the birth of your child. Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under law.” Stockton Unified School District Policy <a href="http://www.stockton.k12.ca.us/bp-archive/FamilyCareandMedicalLeaveE4161.pdf">http://www.stockton.k12.ca.us/bp-archive/FamilyCareandMedicalLeaveE4161.pdf</a> , last referenced April 4, 2008.



<b>Tallahassee, FL</b>	<p>“15.03 Parental Leave. A parental leave of absence without pay shall be granted to an employee for the purpose of preparing for the arrival of, and caring for, the employee’s biological or adopted child as follows: An employee shall be entitled upon written request to a leave to begin at any time between the commencement of a pregnancy or one (1) month prior to the expected date of an adopted child’s placement in the employee’s home and one (1) year after a child is born or after an adopted child is placed in an employee’s home, provided that a qualified replacement is available.”</p> <p>Leon Classroom Teachers Association of the Leon County School System  <a href="http://www.leon.k12.fl.us/public/person/teach/LCTA2004_5/lctaindex.htm">http://www.leon.k12.fl.us/public/person/teach/LCTA2004_5/lctaindex.htm</a>, last referenced April 4, 2008.</p>
<b>Tampa, FL</b>	<p>“12.23.3 Teachers may use either paid or unpaid sick leave anytime before the child’s birth or adoption. A maximum of twelve weeks unpaid leave may be taken after the child’s birth or adoption for normal recuperation. At the end of the twelve week period, the teacher must go on an approved leave or return to work.”--Hillsborough Classroom Teachers Association and School Board of Hillsborough County Contract <a href="http://www.hillscta.org/">http://www.hillscta.org/</a>, last referenced April 4, 2008.</p>
<b>Terre Haute, IN</b>	<p>“B. <u>Pregnancy and Childbirth Leave</u>. A teacher who is pregnant shall be entitled upon request to a leave of absence for a period commencing at the time of physician certified pregnancy through one (1) year following the live birth of the child. Said teacher shall notify the Director of Human Resources in writing of the intention to take such a leave at least thirty (30) days prior to the date on which the leave is to begin; such notice shall also state the date of anticipated return to teaching. If a teacher becomes personally disabled because of the pregnancy and/or delivery, the teacher has a right to an immediate leave.”--Agreement between the Board of School Trustees of the Vigo County School Corporation and the Vigo County Teachers Association  <a href="http://www.vigoschools.org/~perdpt/teachers.doc">http://www.vigoschools.org/~perdpt/teachers.doc</a>, last referenced April 4, 2008.</p>
<b>Texarkana, TX</b>	<p>FMLA with stipulations  Texarkana Texas School District  <a href="http://www.txkisd.net/pdf/employee%20handbook.pdf">http://www.txkisd.net/pdf/employee%20handbook.pdf</a>, last referenced April 4, 2008.</p>
<b>Topeka, KS</b>	<p>“EXTENDED ABSENCE FOR PERSONAL ILLNESS OR DISABILITY LEAVE A professional employee who is unable to work because of personal illness or disability shall be granted, upon application, a leave of absence, without pay, for the duration of such illness or disability, but not more than one (1) contract or school year except should a leave be granted between April 15 and June 10, the leave may apply to the current contract and to the next contract year, if requested and approved. This leave must commence when other leave expires. All such applications for granting said leave shall be accompanied by a statement from a licensed physician which attests to the inability of the professional employee to continue his/her duties except when said professional employee is placed on extended leave for the purpose of child care following Family and Medical Leave.” Topeka Public Schools Professional Agreement between Board of Education Topeka Public Schools Unified School District No. 501  <a href="https://www.topeka.k12.ks.us/pc/fileDownload/resourceEntry.html?oid=15244">https://www.topeka.k12.ks.us/pc/fileDownload/resourceEntry.html?oid=15244</a>, last referenced April 4, 2008.</p>
<b>Trenton, NJ</b>	<p>“Maternity Leave: Any female teacher shall, upon request, be granted a leave of absence without pay for maternity purposes or adoption of a child for a period of not more than two (2) years. Any male teacher shall, upon request, be granted a leave of absence without pay for paternity purposes or adoption of a child for a period of not more than two (2) years.” Agreement Between the Trenton Board of Education And the Trenton Education Association  <a href="http://www.trenton.k12.nj.us/law/law.contracts/teacontract.pdf">http://www.trenton.k12.nj.us/law/law.contracts/teacontract.pdf</a>, last referenced April 4, 2008.</p>
<b>Tucson, AZ</b>	<p>“26-1 A. 1. The Board may grant a leave of absence to MBUs not to exceed one (1) year for the purpose of: professional study, travel, training programs, child care, health, military service, participation in Association activities (whether local, state or national), and/or to campaign or serve in public office. All requests for such leaves of absence shall be submitted to the District by January 31.”--Consensus Agreement with TEA for 2007  <a href="http://www.tusd.k12.az.us/contents/employment/documents/FINAL%20CA-07-08.pdf">http://www.tusd.k12.az.us/contents/employment/documents/FINAL%20CA-07-08.pdf</a>, last referenced April 4, 2008.</p>

<b>Tulsa, OK</b>	<p>“A. Infant Child Care (1968) An employee may request an extended leave of absence in order to care for a newborn or adopted child. This may be renewed for two successive school years.” Tulsa Public Schools Policy  <a href="http://www.tulsaschools.org/depts/hr/certmanual.pdf">http://www.tulsaschools.org/depts/hr/certmanual.pdf</a>, last referenced April 21, 2008.</p>
<b>Tuscaloosa, AL</b>	<p>Similar to that of FMLA  Tuscaloosa City Schools Policy  <a href="http://www.tusc.k12.al.us/hr/policy/GBRIC.html">http://www.tusc.k12.al.us/hr/policy/GBRIC.html</a>, last referenced April 4, 2008.</p>
<b>Tyler, TX</b>	<p>Similar to that of FMLA with stipulations  Tyler Independent School District Policy  <a href="http://www.tasb.org/policy/pol/private/212905/">http://www.tasb.org/policy/pol/private/212905/</a>, last referenced April 4, 2008.</p>
<b>Vallejo, CA</b>	<p>Similar to that of FMLA, same as state law  Vallejo City Unified School District Policy  <a href="http://www.vallejo.k12.ca.us/board/policies_menu_view.asp?code=4000&amp;id=509">http://www.vallejo.k12.ca.us/board/policies_menu_view.asp?code=4000&amp;id=509</a>, last referenced April 4, 2008.</p>
<b>Vero Beach, FL</b>	<p>Similar to that of FMLA  Indian River County School District Collective Bargaining Agreement  <a href="http://www.indian-river.k12.fl.us/SiteDirectory/Employees/Documents/CEA_Agreement_2006-2009.pdf">http://www.indian-river.k12.fl.us/SiteDirectory/Employees/Documents/CEA_Agreement_2006-2009.pdf</a>, last referenced April 4, 2008.</p>
<b>Victoria, TX</b>	<p>“Any full-time employee whose position requires certification from the State Board for Educator Certification (SBEC) is eligible for temporary disability leave. The purpose of temporary disability leave is to provide job protection to full-time educators who cannot work for an extended period of time because of a mental or physical disability of a temporary nature. A full-time educator may request to be placed on temporary disability leave or be placed on leave. Pregnancy and conditions related to pregnancy are treated the same as any other temporary disability. Employees must request approval for temporary disability leave. The leave request must be accompanied by a physician’s statement confirming the employee’s inability to work and estimating a probable date of return. If disability leave is approved, the length of leave is no longer than 180 days.”--Victoria Independent School District  <a href="http://www.visd.com/HR/PDFs/2007-2008_EmployeeHandbook.pdf">http://www.visd.com/HR/PDFs/2007-2008_EmployeeHandbook.pdf</a>, last referenced April 4, 2008.</p>
<b>Vineland, NJ</b>	<p>“Approved Leave of Absence for Employee Illness: An employee is covered by their active health benefits during a <u>paid</u> leave taken for illness. If the approved leave continues beyond available sick time, the following may be utilized:  An employee who has been paid by the Vineland Board of Education for at least 12 months and 1250 hours in the period immediately preceding the commencement of an approved unpaid medical leave is eligible for 12 weeks of health benefit coverage under the Federal Medical Leave Act (FMLA). Maternity is considered “illness” for the purposes of this coverage.”  Vineland Public Schools Policy  <a href="http://www.vineland.org/personnel/HRdocs/TeacherHandbook.pdf">http://www.vineland.org/personnel/HRdocs/TeacherHandbook.pdf</a>, last referenced April 4, 2008.</p>
<b>Virginia Beach, VA</b>	<p>“Parental Leave Employees may request a continuous leave of absence, with or without pay, not to exceed eighteen (18) months, for the purpose of childbearing and/or child rearing a newborn child or a newly adopted or placed foster child, as follows: An employee may request parental leave to commence upon or after the birth of his/her child. Prior approval must be obtained before leave will be granted. Any leave taken after Family Medical Leave is exhausted will be unpaid leave unless the employee chooses to substitute accrued annual or personal reasons leave. An employee returning from Parental Leave will not be entitled to request another term of Parental Leave until such employee has worked for at least one calendar year and has worked at least 1250 hours during such year.”-School Board of the City of Virginia Beach  <a href="http://www.vbschools.com/policies/4%2D53%5F3r.asp">http://www.vbschools.com/policies/4%2D53%5F3r.asp</a>, last referenced April 9, 2008.</p>

<b>Visalia, CA</b>	<p>“15.9 Family Medical Leave: Eligible employees may be granted Family Care Leave as provided by the California Family Rights Act and the United States Family and Medical Leave Act. 15.10 Child-Rearing Leave: An employee who is the natural or adoptive parent of a child may be entitled to an unpaid leave of absence for the purpose of rearing his or her child. Such leave shall be for a maximum period of three (3) months. The leave shall be granted if the District is given four (4) weeks notice prior to the anticipated date on which the leave is to commence and the District can secure an adequate replacement. 15.11 Paternal Leave: An employee shall be entitled to one (1) day of paid leave to care for the child after birth or adoption of the child.”- Agreement by and Between the Visalia Unified School District and California School Employees Association Chapter 83  <a href="http://visalia.k12.ca.us/hrd/CSEA%20Contract%20-%202006-2009%20with%20Addendum.pdf">http://visalia.k12.ca.us/hrd/CSEA%20Contract%20-%202006-2009%20with%20Addendum.pdf</a>, last referenced April 3, 2008.</p>
<b>Waco, TX</b>	<p>FMLA with stipulations  Waco Independent School District Policy  <a href="http://www.tasb.org/policy/pol/private/161914/">http://www.tasb.org/policy/pol/private/161914/</a>, last referenced April 3, 2008.</p>
<b>Washington, DC</b>	<p>“G. Childcare Leave: Any permanent employee who becomes pregnant, and who desires to return to the employment of the Board at a future date, shall be granted a child care leave of absence, such period of leave not to exceed two (2) year from last day of service. (Note: Childcare leave may be a combination of annual leave, sick leave, or leave without pay.) An employee who becomes pregnant may be permitted to continue in employment until such time as the employee and attending physician concludes that continuation of employment would be injurious to her health.”  Agreement between the Board of Education of the District of Columbia and District Council 20 Local 2921 American Federation of State, County and Municipal Employees  <a href="http://www.k12.dc.us/offices/ohr/Documents/AFSCME_04-07_agreedprop.pdf">http://www.k12.dc.us/offices/ohr/Documents/AFSCME_04-07_agreedprop.pdf</a>, last referenced April 3, 2008.</p>
<b>Waterloo, IA</b>	<p>FMLA with end-of-the semester provision  Waterloo Community School Policy  <a href="http://www.waterloo.k12.ia.us/policies/policies/175">http://www.waterloo.k12.ia.us/policies/policies/175</a>, last referenced April 3, 2008.</p>
<b>Wenatchee, WA</b>	<p>Similar to that of FMLA  Wenatchee School District  <a href="http://home.wsd.wednet.edu/WSD/board/WSDPolicies/5000Series/Policy5402.pdf">http://home.wsd.wednet.edu/WSD/board/WSDPolicies/5000Series/Policy5402.pdf</a>, last referenced April 3, 2008.</p>
<b>Wichita, KS</b>	<p>Up to one year  Wichita Public Schools District Policy  As per fax received April 8, 2008</p>
<b>Wichita Falls, TX</b>	<p>FMLA with stipulations  Wichita Falls Independent School District  <a href="http://www.tasb.org/policy/pol/private/243905/pol.cfm?toc=D">http://www.tasb.org/policy/pol/private/243905/pol.cfm?toc=D</a>, last referenced April 3, 2008.</p>
<b>Wilmington, NC</b>	<p>“New Hanover County Schools’ employees are encouraged to utilize available leave benefits options when necessary. However, employees should carefully consider the impact that their absence(s) will have on the overall instructional program and upon the achievement of students. Even the best substitute employee cannot provide the high level of service provided by the regular employee. Every employee absence diminishes the overall quality of the instructional program. In addition, unused accumulated sick leave and/or annual vacation leave can significantly enhance an employee’s financial entitlements at retirement or upon separation from employment with the school district. Allowable reasons for which long-term leave of absence may be requested are: 1. Military leave; 2. Parental leave, for the birth or adoption of a child or placement of a foster child for a period of up to twelve (12) calendar months;”  New Hanover County Public Schools Policy  <a href="http://www.nhcs.net/humanresources/handbook/manualweb.pdf">http://www.nhcs.net/humanresources/handbook/manualweb.pdf</a>, last referenced April 3, 2008.</p>

<b>Winchester, VA</b>	<p>“A. Generally Employees who become pregnant may elect to resign, or they may elect to continue working until disabled as certified by their physicians and subsequently utilize sick leave benefits or request a leave of absence, or both.</p> <p>The employee shall promptly notify the superintendent following confirmation of the pregnancy. She shall inform him/her of the approximate date of her effective resignation, pregnancy leave with sick leave benefits, or leave of absence.</p> <p>1. Resignation An employee who resigns and subsequently applies for reemployment will be considered on the basis of her professional qualifications without prejudice or penalty resulting from the above termination.</p> <p>2. Pregnancy Leave with Sick Leave Benefits</p> <p>Pregnancy leave with sick leave benefits shall be granted when the employee is not physically able to perform her regular duties on a full-time basis because of her pregnancy and recovery therefrom as certified by her physician. Leave cannot begin until a physician certifies that the employee is unable to work. The employee must resume her duties as soon as her physician certifies that she is able to do so. A pregnant employee who continues working until disabled as certified by a physician may elect not to use sick leave benefits for this purpose.</p> <p>3. Leave of Absence Employees with (3)* consecutive years experience or employees who are on continuing contract in Frederick County who become pregnant may request an official leave of absence under the conditions specified in the leave of absence policy (554).”-Frederick County Public Schools Policy</p> <p><a href="http://www.frederick.k12.va.us/education/sctemp/a17a46dcecdc2c0b2babcb89b65e1d78/1207262566/PERSONNEL_549R-C.pdf">http://www.frederick.k12.va.us/education/sctemp/a17a46dcecdc2c0b2babcb89b65e1d78/1207262566/PERSONNEL_549R-C.pdf</a>, last referenced April 3, 2008.</p>
<b>Winston, NC</b>	<p>“8.1.1 <u>Eligibility</u> All full-time permanent or part-time permanent employees may take a leave of absence without pay for up to one calendar year from the date of birth or adoption to care for a newborn child or a newly adopted child. 8.1.2 <u>Leave</u> The employee may elect to use appropriate earned leave during the time of the leave (See Annual Vacation Leave - Section 3.3 and Sick Leave - Section 4.0). For the purposes of educational continuity, with the approval of the local board, the unpaid leave of absence may be extended for the remainder of the school year when the leave would otherwise end in the latter half of the school year. A husband and wife who are both employed by the same school system are limited to a combined total of 12 months of parental leave during the year following the birth or adoption.” Winston-Salem Forsyth School District</p> <p><a href="http://www.ncpublicschools.org/docs/fbs/personnel/benefits/policymanual.pdf">http://www.ncpublicschools.org/docs/fbs/personnel/benefits/policymanual.pdf</a>, last referenced April 3, 2008.</p>
<b>Yakima, WA</b>	<p>“B. Maternity 1. In case of the birth of a child, the parent shall be allowed one (1) day of absence with full pay. SECTION 11. RENEWAL LEAVE Employees may take a one (1) year leave without pay for any reason. Employees granted such a leave will be permitted to stay in the District insurance programs at their own expense. Requests for renewal leave shall be made prior to July 15 for leave for the following school year.”</p> <p><a href="http://www.yakimaschools.org/Departments/2/Yakima_Education_Association.pdf">Yakima Education Association Agreement</a>  <a href="http://www.yakimaschools.org/Departments/2/Yakima_Education_Association.pdf">http://www.yakimaschools.org/Departments/2/Yakima_Education_Association.pdf</a>, last referenced April 3, 2008.</p>
<b>York, PA</b>	<p>May be required to take leave until end of semester</p> <p>York City School District</p> <p><a href="http://www.ycs.k12.pa.us/content/blogcategory/115/203/">http://www.ycs.k12.pa.us/content/blogcategory/115/203/</a>, last referenced April 3, 2008.</p>
<b>Youngstown, OH</b>	<p>Similar to that of FMLA with spousal exception</p> <p>Youngstown City School District Policy</p> <p><a href="http://www.neola.com/youngstowncity-oh/">http://www.neola.com/youngstowncity-oh/</a> April 3, 2008</p>
<b>Yuba City, CA</b>	<p>The district shall grant leaves to employees as required by the California Family Rights Act (CFRA) and federal Family Medical Leave Act (FMLA): 1. To care for the employee's newborn child; 2. To care for a child placed with the employee for adoption or foster care, 3. To care for the employee's spouse, child, or parent who has a serious health condition; or 4. For the employee's own serious health condition which renders the employee unable to perform the essential functions of the employee's position.”-Yuba City Unified School District</p> <p><a href="http://www.ycusd.k12.ca.us/index.asp?whichPage=contentPages/Jobweb/index.html">http://www.ycusd.k12.ca.us/index.asp?whichPage=contentPages/Jobweb/index.html</a>, last referenced April 3, 2008.</p>

## Appendix B

### A reference guide police department leave policies used in this study

Implicit in the coding, is that California police departments are subject to the California Family Rights Act (CFRA) in addition to FMLA. Stockton, California specifies that CFRA does not run concurrent to FMLA thus allowing for a possible extra twelve weeks of leave. Many of the states examined do have their own family leave policies, but none differ substantially from FMLA as of yet. Indeed, rarely did a local policy mention their state's leave policy. Email correspondence between city Human Resources personnel and myself are confidential, but easily substantiated by referring to the city's municipal code or by contacting them personally. Dates are given so to acknowledge that policies might have changed between the date of the correspondence and the analysis. The category "Policy Type" refers to the whether or not a police department simply follows city policy, "C", or if it has its own policy in place, "P". When a union contract, is present, it is coded as "UC" but, for purposes of analysis, is considered part of departmental policy. Constraints on space, and a consideration of the redundancy of such an enterprise, have restricted a more complete listing of policies. The most relevant aspects to later coding of the policies, specifically the ones that go beyond the mandates of FMLA, are replicated below.

City	Departmental Policy/Contact Information	Policy Type
Abilene Texas	<a href="http://www.abilenetx.com/HR/documents/MANUAL%20for%20the%20web.pdf">http://www.abilenetx.com/HR/documents/MANUAL%20for%20the%20web.pdf</a> , last referenced April 9, 2008.	C FMLA with spousal exception
Akron, Ohio	as per email correspondence with the Akron City Police Department March 3, 2008	C FMLA with spousal exception
Albany, NY	"When all accrued sick leave, vacation, and personal leave credits have been exhausted, the employee will be eligible to receive half-pay for up to ten(10) weeks without charge to future accrued leave credits. After the period of half-pay has run out, the employee will be granted a leave of absence without pay if necessary."	UC City of Albany and the Albany Police Officers Union Local 2841. Section 15.1.4
Albuquerque, NM	"The City will grant police officers the leave benefits set forth in the Family Medical Leave Act (F.M.L.A.) for the purpose of a medical condition related to childbirth or care of a newborn child" "The Chief of Police may grant up to 720 hours of Leave Without Pay for the purpose of the medical condition related to childbirth and care of a newborn child. related to childbirth" "It is recognized that staffing requirements may be a major factor in the approval of the request for leave for care of a newborn child." "Employees are eligible to request additional Leave Without Pay up to one (1) year under the City's Rules and Regulations to be approved by the Chief Administrative Officer upon the recommendation of the Chief of Police. Such requests may only be approved if the officer agrees in writing to allow their seniority/anniversary date to be adjusted for the time they are on Leave Without Pay beyond the 720 hours allowed by this section. This change in anniversary date will also be used in calculating the experience requirement for promotion." <a href="http://www.apdonline.com/benefits.html">http://www.apdonline.com/benefits.html</a> , last referenced March 7, 2008.	P
Amarillo, TX	as per email received March 11, 2008	C City follows FMLA

<b>Ames, IA</b>	“A pregnant employee may continue employment as long as it is not deemed harmful by the employee’s physician. Sick leave usage under this policy shall only be used if the employee is unable to work before or after delivery and will be treated as any other illness. Paid sick leave will only be granted if the employee is physically unable to perform her regular job duties...” as per fax received March 3, 2008	C FMLA with spousal exception
<b>Anniston, AL</b>	as per conversation April 14, 2008	C City follows FMLA
<b>Appleton, WI</b>	as per email March 6, 2008	C City follows FMLA
<b>Asheville, NC</b>	Same as city, follows FMLA as per email March 5, 2008	C City follows FMLA
<b>Athens, GA</b>	Done as per phone conversation April 15, 2008. Informally, the department grants light duty	C City follows FMLA
<b>Auburn, AL</b>	As per email April 15, 2008.	C City follows FMLA
<b>Augusta, GA</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Austin, TX</b>	limited duty assignment Austin Police Department Document #A406	P
<b>Bangor, ME</b>	While there is a union contract, it does not specify maternity leave As per email April 16, 2008.	C City follows FMLA
<b>Baton Rouge, LA</b>	Follows FMLA and city as per email March 5, 2008	C City follows FMLA
<b>Battle Creek, MI</b>	as per email March 5, 2008	C City follows FMLA
<b>Bay City, MI</b>	“A maternity leave of absence shall be granted. Maternity leaves of absence shall commence at the earliest day set by one of the following conditions: (a) request of member; (b) recommendation of the member's physician; or, (c) determination of member's physician that continued work would endanger the health or safety of the member. The maximum leave of absence shall be six (6) months or when medically able to return to work as certified by the City physician. Maternity leave is not intended for the benefit of a non-pregnant member of the family.” <a href="http://www.baycitymi.org/Contracts/Police%20Patrol%20Contract%202005-2009.pdf">http://www.baycitymi.org/Contracts/Police%20Patrol%20Contract%202005-2009.pdf</a> last referenced April 18, 2008.	UC Collective Bargaining Agreement between the City of Bay City, Michigan, A Michigan Municipal Corporation and Fraternal Order of Police Lodge #103 Patrol Officers and Special Duty Officers
<b>Beaumont, TX</b>	<a href="http://www.cityofbeaumont.com/COB-EmployeeHandbook.pdf">http://www.cityofbeaumont.com/COB-EmployeeHandbook.pdf</a> , last referenced April 15, 2008.	C City follows FMLA

<b>Bend, OR</b>	As per phone conversation a representative from Bend's Human Resources Department March 6, 2008. She said informally it's been practice to start granting an additional month to police officers, but they have to pay for their own health insurance.	C City follows FMLA
<b>Bismarck, ND</b>	as per email April 16, 2008.	C City follows FMLA
<b>Blacksburg, VA</b>	as per email March 6, 2008	C City follows FMLA
<b>Bloomington, IL</b>	as per email March 6, 2008	C City follows FMLA
<b>Boise City, ID</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Boston, MA</b>	They are entitled to 12 months of unpaid leave for the purpose of maternity beginning upon the date of birth As per email April 16, 2008.	UC BPPA
<b>Bremerton, WA</b>	as per email March 6, 2008	C City follows FMLA
<b>Bridgeport, CT</b>	as per phone call Human Resources April 15, 2008	C City follows FMLA
<b>Brownsville, TX</b>	<a href="http://humanresources.cob.us/hr_updates/Personnel%20Policy%20-%20Final%20Approved%202006.pdf">http://humanresources.cob.us/hr_updates/Personnel%20Policy%20-%20Final%20Approved%202006.pdf</a> , last referenced April 15, 2008.	C City follows FMLA
<b>Brunswick, GA</b>	As per email April 15, 2008.	C FMLA with spousal exception
<b>Burlington, NC</b>	As per email April 15, 2008.	C City follows FMLA
<b>Cape Coral, FL</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Cedar Rapids, IA</b>	<a href="http://www.cedar-rapids.org/hr/documents/Police%20063010.pdf">http://www.cedar-rapids.org/hr/documents/Police%20063010.pdf</a> , last referenced March 13, 2008	UC City follows FMLA Agreement Between City of Cedar Rapids and Chauffeurs, Teamsters and Helpers
<b>Champaign, IL</b>	as per email March 10, 2008 Survey response reports limited duty assignment	C City follows FMLA
<b>Charlotte, NC</b>	as per email April 16, 2008.	C City follows FMLA

<b>Chattanooga, TN</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Cheyenne, WY</b>	as per email March 7, 2008	C City follows FMLA
<b>Chico, CA</b>	<p>"B. Leave of Absence With Pay - Birth or Adoption of Child.</p> <p>1. Amount; When Taken. In the event of the birth of an Employee's or Employee's Registered Domestic Partner's child, or the adoption of a child by an Employee or Employee's Registered Domestic Partner, such Employee shall be entitled to a leave of absence with pay for a period of three (3) consecutive work days or shifts. Such leave shall only be taken within fourteen (14) days after the date of such birth or adoption. An Employee shall be eligible for a single leave period for the event of a birth or adoption, without regard to the number of children involved. The birth or adoption of multiple children at one time shall not create eligibility for more than one birth or adoption leave period.</p> <p>C. Leave of Absence Without Pay.</p> <p>1. Request. City agrees to consider the granting of a request for a leave without pay for a period not to exceed four (4) months when such request is: a. Made in writing by Employee on a form provided by City Manager setting forth the reasons therefore. b. Recommended for approval by Chief of Police. c. Approved by City Manager. If approved, such approval shall also be made in writing. City Manager, with sole discretion, shall have the right to approve or disapprove such a request."</p> <p><a href="http://www.chico.ca.us/Human_Resources_and_Risk_Management/Labor_Agreements/CPOA_MOU.pdf">http://www.chico.ca.us/Human Resources and Risk Management/Labor_Agreements/CPOA_MOU.pdf</a>, last referenced April 13, 2008.</p>	UC Memorandum of Understanding Between the City of Chico and the Chico Police Officers' Association (CPOA)
<b>Cincinnati, OH</b>	<p>"SWP-M. Employees will be allowed to use sick leave credit for the period during which they are physically unable to work due to pregnancy, childbirth, miscarriage, a related medical procedure or recovery, therefrom. The duration of this leave shall be determined on an individual basis by the employee and her physician. The employee must notify her supervisor approximately two weeks before her expected date of departure. Employees experiencing unexpected emergencies will not be penalized for failure to give proper notification. All sworn members of the Cincinnati Police Department who are off sick or injured, whether service connected, or not, shall be carried on an "unrestricted" basis. No member will be considered on restricted status unless so ordered by the City/Police Physician. The question of whether a member on sick leave shall be restricted to his or her home shall be left to the discretion of the City/Police Physician. The extent of the restriction shall be determined by the City/Police Physician. The City/Police Physician shall consult with the employee's personal or attending physician in making his determination of whether or not to grant or continue the "unrestricted" basis. No City employee shall in any way attempt to directly or indirectly influence the decision of the City/Police Physician."</p> <p><a href="http://www.cincinnati-oh.gov/police/downloads/police_pdf5126.pdf">http://www.cincinnati-oh.gov/police/downloads/police_pdf5126.pdf</a>, last referenced April 9, 2008.</p>	P
<b>Clarksville, TN</b>	As per email with Human Resources April 14, 2008	C City follows FMLA
<b>Cleveland, OH</b>	as per phone call March 13, 2008	C City follows FMLA
<b>Coeur d'Alene, ID</b>	as per email March 17, 2008	C City follows FMLA



<b>College Station, TX</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Columbus, OH</b>	Departmental policy follows FMLA <a href="http://www.columbuspolice.org/default.htm">http://www.columbuspolice.org/default.htm</a> , last referenced March 7, 2008	P
<b>Corpus Christi, TX</b>	<a href="http://www.cctexas.com/files/g26/HR%208.0%20AP%201%20FMLA.pdf">http://www.cctexas.com/files/g26/HR%208.0%20AP%201%20FMLA.pdf</a> , last referenced April 15, 2008.	C FMLA with spousal exception
<b>Corvallis, OR</b>	Department follows city policy, follows FMLA as per email April 15, 2008.	C City follows FMLA
<b>Cumberland, MD</b>	<a href="http://www.ci.cumberland.md.us/dept/hr/fmla/fmla.htm">http://www.ci.cumberland.md.us/dept/hr/fmla/fmla.htm</a> , last referenced April 15, 2008.	C City follows FMLA
<b>Dallas, TX</b>	as per email March 10, 2008	C City follows FMLA
<b>Dalton, GA</b>	as per email April 16, 2008.	C City follows FMLA
<b>Danville, IL</b>	Fax received March 10, 2008.	UC City follows FMLA -Agreement by and between City of Danville, Illinois and Policemen's Benevolent and Protective Association, Unit #11, Illinois
<b>Danville, VA</b>	as per email April 16, 2008.	C FMLA with spousal exception
<b>Davenport, IA</b>	<p><u>"Section 12.3. Maternity Leave.</u></p> <p>(a) Female personnel shall not be arbitrarily forced to stop work because of pregnancy and shall be given the opportunity to accept other appropriate duty in the Department until such time that she is required to cease work for the welfare of her and/or her child and maternity leave shall commence at such time.</p> <p>(b) Duty uniforms will not be required when and if the employee avails herself of (a) above.</p> <p>(c) When maternity leave commences, such leave shall be administered as any other disability.</p> <p>(d) Male personnel shall be permitted to utilize sick leave to a maximum of five (5) consecutive work days for attendance upon a spouse giving birth to his child.</p> <p>(e) Leaves granted under this section will count toward an employee's total eligibility for a leave under the Family and Medical Leave Act."</p> <p><a href="http://www.cityofdavenportiowa.com/egov/docs/1203527188_66253.pdf">http://www.cityofdavenportiowa.com/egov/docs/1203527188_66253.pdf</a>, last referenced April 15, 2008.</p>	UC -Agreement Between City of Davenport, Iowa and Union of Professional Police Inc.

<b>Dayton, OH</b>	follows FMLA with light duty provision As per email March 9, 2008	P
<b>Des Moines, IA</b>	As per email received March 13, 2008	C City follows FMLA
<b>Dothan, AL</b>	as per email April 16, 2008.	C City follows FMLA
<b>Dover, DE</b>	“Maternity Leave: Leaves of absence shall be granted to employees affected by pregnancy, childbirth or related conditions; provided such leave shall not exceed six (6) months. At the commencement of a maternity leave of absence, employees have the option of using accrued sick or vacation leave time in order to continue to receive pay. Sick leave is permitted according to Article XI Section 1. Pay will cease when all accrued allowances have been used. The use of accrued time-off shall not extend the length of the leave.” <a href="http://www.cityofdover.com/media/documents/employee-Handbook_Revised.pdf">http://www.cityofdover.com/media/documents/employee-Handbook_Revised.pdf</a> , last referenced April 15, 2008.	C City offers excess of FMLA
<b>Duluth, MN</b>	<a href="http://www.duluthmn.gov/city/employment/Union%20Contracts/07-09POLICE.pdf">http://www.duluthmn.gov/city/employment/Union%20Contracts/07-09POLICE.pdf</a> , last referenced March 13, 2008.	UC City follows FMLA -Agreement between City of Duluth and Duluth Police Union
<b>Durham, NC</b>	As per email April 15, 2008.	C City follows FMLA
<b>Eau Claire, WI</b>	As per email April 16, 2008.	C City follows FMLA
<b>Elizabethtown, KY</b>	As per email April 16, 2008.	C FMLA with spousal exception
<b>El Paso, TX</b>	<a href="http://www.ci.el-paso.tx.us/personnel/rule13.asp#1">http://www.ci.el-paso.tx.us/personnel/rule13.asp#1</a> , last referenced April 15, 2008.	C City follows FMLA
<b>Eugene, OR</b>	<a href="http://www.eugeneor.gov/portal/server.pt/gateway/PTARGS_0_2_240485_0_0_18/EPEAcontract.pdf">http://www.eugeneor.gov/portal/server.pt/gateway/PTARGS_0_2_240485_0_0_18/EPEAcontract.pdf</a> , last referenced March 13, 2008.	UC City follows FMLA -Contract Between the City of Eugene and the Eugene Police Employees’ Association
<b>Evansville, IN</b>	As per email April 17, 2008.	C FMLA with spousal exception

<b>Fargo, ND</b>	<a href="http://www.cityoffargo.com/CityInfo/Departments/HumanResources/EmployeeBenefits/LeaveBenefits/">http://www.cityoffargo.com/CityInfo/Departments/HumanResources/EmployeeBenefits/LeaveBenefits/</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Farmington, NM</b>	<a href="http://www.municode.com/Resources/gateway.asp?pid=10760&amp;sid=31">http://www.municode.com/Resources/gateway.asp?pid=10760&amp;sid=31</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Fayetteville, NC</b>	Survey response reports administrative duty assignment	C City follows FMLA
<b>Flagstaff, AZ</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Flint, MI</b>	“An Employee with at least 365 service credits who becomes pregnant shall be entitled to a maternity leave of absence, without pay or fringe benefits except as provided herein, up to twenty-six (26) full payroll periods. <a href="http://www.cityofflint.com/labor/16002004.pdf">http://www.cityofflint.com/labor/16002004.pdf</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Florence, AL</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Fond du lac, WI</b>	as per email March 11, 2008	C City follows FMLA
<b>Fort Collins, CO</b>	follows FMLA email received April 18, 2008.	UC
<b>Fort Smith, AR</b>	as per email March 10, 2008	C FMLA with spousal exception
<b>Fort Walton, FL</b>	as per email April 17, 2008.	C City follows FMLA
<b>Fresno, CA</b>	Our maternity leave policy is the same for Police Officers is the same. For a pregnant employee they receive 12 weeks of FMLA when they first take time off. If the time off is taken prior to the birth of the baby FMLA runs consecutively with California Pregnancy Disability Leave. For leave that is taken after the baby is born and following the end of medical incapacity it is counted under FMLA/CFRA. The maximum leave time that an employee could get could be up to 7 months in some cases depending on how their leave was counted. However our employees generally take 6-8 weeks. The father can take up to 12 weeks for baby bonding under FMLA/CFRA but normally we only see them use about 2 weeks of that time. As per email received April 18, 2008.	C City follows FMLA
<b>Gadsden, AL</b>	Survey response reports administrative duty assignment	C City follows FMLA
<b>Gainesville, FL</b>	Survey response reports both administrative and limited duty assignment	C City follows FMLA
<b>Gainesville, GA</b>	as per email April 16, 2008.	C City follows FMLA
<b>Goldsboro, NC</b>	As per email March 12, 2008	C FMLA with spousal exception

<b>Grand Forks, ND</b>	Follows FMLA with limited duty provisions as per email March 12, 2008	P
<b>Great Falls, MT</b>	"11.3.3 Maternity Leave Employees who have given birth to a child are eligible for up to 12 weeks of leave. Maternity leave may be taken under any combination of these guidelines: a. Eligible employees who have accrued enough time may take up to six weeks of paid sick leave without any medical documentation." as per email April 17, 2008.	C City follows FMLA
<b>Greeley, CO</b>	as per email March 13, 2008.	C FMLA with spousal exception
<b>Green bay, WI</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Greensboro, NC</b>	per email March 12, 2008.	C FMLA with spousal exception
<b>Greenville, NC</b>	<a href="http://www.greenvillenc.gov/employment/default.aspx?id=174">http://www.greenvillenc.gov/employment/default.aspx?id=174</a> , last referenced March 11, 2008.	C City follows FMLA
<b>Harrisonburg, VA</b>	Department follows city policy, follows FMLA with spousal exception, as per mail received.	C FMLA with spousal exception
<b>Hickory, NC</b>	as per email March 12, 2008	C City follows FMLA
<b>Hot Springs, AR</b>	"5.5 Marriage Leave: "The City will allow a regular full-time employee three days excused absence with pay for marriage, provided the leave is taken at the time of marriage and the individual returns to work with the City after the marriage. Marriage leave is available to employees who have completed 90 calendar days of employment with the City." <a href="http://www.cityhs.net/pdfs/hr/Employee%20handbook.pdf">http://www.cityhs.net/pdfs/hr/Employee%20handbook.pdf</a> , last referenced April 18, 2008.	C FMLA with spousal exception
<b>Houston, TX</b>	As per phone conversation May 6, 2008	C City follows FMLA
<b>Huntington, WV</b>	"Parenting leave, without pay, up to a period of six months, shall be granted at the request of any police officer; said leave, at the discretion of the Mayor, may upon request of the police officer, be extended for an additional period of up to six months. A police officer who has been granted parenting leave shall be entitled to use accrued sick leave for the period that the employee is unable to work for medical reasons as certified by a licensed physician." As per email April 18, 2008	UC Article XII of the Fraternal Order of Police Contract
<b>Idaho Falls, ID</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Indianapolis, IN</b>	Fax received March 12, 2008.	C City follows FMLA

<b>Iowa City, IA</b>	light duty provision As per email correspondence March 26, 2008.	C City follows FMLA
<b>Ithaca, NY</b>	as per email correspondence on March 12-13, 2008.	C City follows FMLA
<b>Jacksonville, FL</b>	Survey response reports limited duty assignment As per email March 12, 2008	C City follows FMLA
<b>Jacksonville, NC</b>	Department follows city policy ,follows FMLA as per email March 17, 2008	C City follows FMLA
<b>Janesville, WI</b>	Survey response reports administrative duty assignment	C City follows FMLA
<b>Jefferson City, MO</b>	<a href="http://www.jeffcitymo.org/hr/policiesprocedures.html">http://www.jeffcitymo.org/hr/policiesprocedures.html</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Johnson City, TN</b>	“May temporarily transfer to another position within the Department if the following requirements are met;1. If a position is available. 2. The officer must be qualified for the temporary position. 3. At the discretion of the Chief of Police. 4To be at the rate of pay of the temporary position. 5. May be for no longer than 3 months.”Pregnancy/Maternity Policy of the Johnson City Police Department as per email March 17, 2008.	P
<b>Joplin, MO</b>	as per email March 13, 2008	C City follows FMLA
<b>Kansas City, MO</b>	Survey response reports limited duty assignment <a href="http://www.kcpd.org/kcpd2004/salaryand%20benefits.htm">http://www.kcpd.org/kcpd2004/salaryand%20benefits.htm</a> , last referenced March 14, 2008.	C City follows FMLA
<b>Killeen, TX</b>	<a href="http://www.ci.killeen.tx.us/index.php?section=156">http://www.ci.killeen.tx.us/index.php?section=156</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Knoxville, TN</b>	as per email March 13, 2008	C City follows FMLA
<b>La Crosse, WI</b>	as per email April 17, 2008.	C City follows FMLA
<b>Las Cruces, NM</b>	Survey response reports limited duty assignment <a href="http://www.las-cruces.org/HR/per-manual/sec500.shtm#514">http://www.las-cruces.org/HR/per-manual/sec500.shtm#514</a> , last referenced March 14, 2008.	C City follows FMLA
<b>Las Vegas, NV</b>	“Clark County Civil Service Board, Civil Services Rule 680. This rule entitles employees to up to 6 months of leave following the birth of their child. It should be noted that FMLA affords parents 12 weeks in order to care for their newborn, fostered, or adopted child whereas Civil Service Rule 680 allows for 6 months. Additionally, if both parents are employed by the Department, they are both entitled to 6 months of leave whereas FMLA would restrict that time to 12 weeks to be shared by the parents. Rule 680 instructs the employee to utilize any accrued sick leave prior to utilizing vacation or bonus leaves. Employees will be placed on a leave without pay status only after all aforementioned types of accrued leave have been expended.” As per email April 18, 2008.	C Excess of FMLA

<b>Lawrence, KS</b>	<a href="http://www.lawrencepolice.org/index.php?page=policyproced">http://www.lawrencepolice.org/index.php?page=policyproced</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Lewiston, ID</b>	<a href="http://www.cityoflewiston.org/hr/manual/Admin%20Policies/AP%2094-01.pdf">http://www.cityoflewiston.org/hr/manual/Admin%20Policies/AP%2094-01.pdf</a> , last referenced March 14, 2008.	C FMLA with spousal exception
<b>Lexington, KY</b>	as per email April 17, 2008.	C City follows FMLA
<b>Lincoln, NE</b>	<a href="http://www.lincoln.ne.gov/city/person/city/ppbfmla.pdf">http://www.lincoln.ne.gov/city/person/city/ppbfmla.pdf</a> , last referenced April 16, 2008.	C FMLA with spousal exception
<b>Longview, TX</b>	Department follows city policy, follows FMLA as per email April 17, 2008.	C City follows FMLA
<b>Longview, WA</b>	"If a husband and wife both work for the City, and each wishes to take leave for the birth of a child, adoption, or placement of a child in foster care, the husband and wife are entitled to a combined total of 12 weeks of FMLA leave. Additional leave may be requested in accordance with City of Longview policy." as per email March 13, 2008.	C FMLA with spousal exception
<b>Louisville, KY</b>	"Members having sufficient accrued sick time shall be granted six weeks of paid maternity leave. Members requiring additional leave for medical reasons must submit a physician's statement to the division/unit commander in accordance with section 2.9.1, Sick Leave." -Louisville Metro Police Department Policy <a href="http://www.louisvilleky.gov/NR/rdonlyres/1D5B4C7F-3A29-4F92-9F3F-9AC08F0EC467/0/SOPSearchable030308.pdf">http://www.louisvilleky.gov/NR/rdonlyres/1D5B4C7F-3A29-4F92-9F3F-9AC08F0EC467/0/SOPSearchable030308.pdf</a> , last referenced March 14, 2008.	P
<b>Lubbock, TX</b>	"6. Civil Service (Fire Or Police) Military Leave Accounts The City has an option that allows a Firefighter(s) to donate accrued leave to a Fire Department Military Leave Account and Police Officer(s) to donate accrued leave to a Police Department Military Leave Account." <a href="http://policies.ci.lubbock.tx.us/images/files/humanresources/employee_policy_manual.pdf">http://policies.ci.lubbock.tx.us/images/files/humanresources/employee_policy_manual.pdf</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Lynchburg, VA</b>	Department follows city policy, follows FMLA with spousal exception <a href="http://www.lyncburgva.gov/Index.aspx?page=3341">http://www.lyncburgva.gov/Index.aspx?page=3341</a> , last referenced April 16, 2008.	C FMLA with spousal exception
<b>Madison, WI</b>	"When an employee's ability to perform responsibilities of a sworn law enforcement officer is temporarily limited by reason of a physician-certified medical condition, (e.g., illness, injury, pregnancy), the department will attempt to provide a temporary restricted duty assignment, when meaningful assignments are available. The temporary restricted duty assignment work days and hours will be determined by the needs of the department." <a href="http://www.ci.madison.wi.us/police/PDF_Files/PolicyandProcedureManual.pdf">http://www.ci.madison.wi.us/police/PDF_Files/PolicyandProcedureManual.pdf</a> last referenced April 27, 2008.	P
<b>Manchester, NH</b>	As per email March 17, 2008	C City follows FMLA
<b>McAllen, MI</b>	As per fax April 22, 2008	C FMLA with spousal exception

<b>Medford, OR</b>	As per email March 17, 2008.	C City follows FMLA
<b>Memphis, TN</b>	The Police Services Division will provide, based on availability, maternity alternative duty assignments for officers within the department when requests for such assignments are submitted on a Request for Maternity Alternative Duty form. An officer requesting such assignment must provide documentation from the attending physician who supports a maternity alternative duty assignment and must submit to an examination by a City appointed physician if such an examination is requested. When a maternity alternative duty assignment is considered, the officer will be responsible for obtaining the physician's approval for the performance of the duties to be assigned on the Request for Maternity Alternative Duty form." Memphis Police Department Policy and Procedures As per email March 17, 2008.	P
<b>West Palm Beach, FL</b>	<a href="http://www.cityofwpb.com/hr/pdf/PBA%20Oct%201%2007%20-%20Sep%2030%2008.pdf">http://www.cityofwpb.com/hr/pdf/PBA%20Oct%201%2007%20-%20Sep%2030%2008.pdf</a> , last referenced April 16, 2008.	C FMLA with spousal exception
<b>Midland, TX</b>	as per fax received March 24, 2008.	C City follows FMLA
<b>Milwaukee, WI</b>	<a href="http://www.ci.mil.wi.us/Rule5Absence5030.htm">http://www.ci.mil.wi.us/Rule5Absence5030.htm</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Minneapolis, MN</b>	Survey response reports limited duty assignment "Pregnant officers working in an area of the MPD where uniformed public contact occurs shall wear a uniform maternity smock." <a href="http://www.ci.minneapolis.mn.us/mpdpolicy/">http://www.ci.minneapolis.mn.us/mpdpolicy/</a> , April 26, 2008.	P
<b>Modesto, CA</b>	"Follows FMLA, Department follows city policy although pregnancy disability applies? As provided in both State and Federal law, if you have more than one year of service with the City (and have worked at least 1,250 hours during the 12 months preceding the leave), you have a right to an unpaid family and medical care leave of up to 12 weeks in a 12 month period for the birth, adoption or foster placement of a child, or for your own serious health condition or the serious health condition of your child (as defined), parent (as defined), or spouse. This 12-month period is based on a "Forward Rolling Year". Granting this leave contains a guarantee of reinstatement to the same or comparable position at the end of the leave, subject to any defense allowed under the law. State law provides that family and medical care leave is separate and distinct from pregnancy disability leave for the portion of the pregnancy during which the doctor determines she is disabled (not to exceed four months)." As per email March 24, 2008	C City follows FMLA
<b>Monroe, MI</b>	as per email April 17, 2008	U.C. City follows FMLA
<b>Muskegon, MI</b>	As per email March 17, 2008	C City follows FMLA
<b>Napa, CA</b>	as per email April 17, 2008.	C City follows FMLA
<b>Naples, FL</b>	Department follows FMLA as per email March 17, 2008. Survey response reports limited duty assignment	P

<b>Nashville, TN</b>	“3. FMLA and maternity leave allowed by State law will run concurrently.4. Eligibility for a husband and wife both employed by Metro, even in different departments, is aggregate (i.e., not 12 weeks each), for time taken for childbirth, placement, or the care for an employee’s parent, but not for other reasons.” <a href="http://www.nashville.gov/civil_service/civil_service_policies.pdf">http://www.nashville.gov/civil_service/civil_service_policies.pdf</a> , last referenced April 16, 2008.	C FMLA with spousal exception
<b>New Haven, CT</b>	As per union contract, pregnancy is not viewed as a sickness so not forced to use sick leave while on FMLA. Light duty provision that allows flexibility in assignment considering her previous training As per phone call with a representative from Human Resources of New Haven Police Department, April 11, 2008.	U.C. City follows FMLA
<b>New York, NY</b>	One year unpaid police child care leave and paid leave (6-8 weeks depending on type of birth, vaginal or cesarean). Called “unlimited sick leave.” As per phone call April 11, 2008.	P
<b>Newark, NJ</b>	As per phone conversation April 11, 2008.	C City follows FMLA
<b>Niles, MI</b>	Follows FMLA with spousal exception as per email March 17, 2008.	C FMLA with spousal exception
<b>Norwich, CT</b>	as per email March 17, 2008	C City follows FMLA
<b>Ocala, FL</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Ocean City, NJ</b>	As per phone call with a Human Resources representative from the Ocean City Police Department April 11, 2008.	C City follows FMLA
<b>Odessa, TX</b>	Survey response reports administrative duty assignment	C City follows FMLA
<b>Olympia, WA</b>	<a href="http://www.ci.olympia.wa.us/NR/ronlyres/17EDC92C-AFDA-4DB2-9784-4B5910354432/0/PGuildSignedContract010105123107.pdf">http://www.ci.olympia.wa.us/NR/ronlyres/17EDC92C-AFDA-4DB2-9784-4B5910354432/0/PGuildSignedContract010105123107.pdf</a> , last referenced April 16, 2008.	C City follows FMLA
<b>Oshkosh, WI</b>	Survey response reports administrative duty assignment	C City follows FMLA
<b>Owensboro, KY</b>	A per email correspondence March 17, 2008.	C FMLA with spousal exception
<b>Oxnard, CA</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Parkersburg, WV</b>	Department follows city policy, follows FMLA with spousal exception as per email April 18, 2008.	C FMLA with spousal exception
<b>Pensacola, FL</b>	as per email March 17, 2008	C City follows FMLA



<b>Peoria, IL</b>	<p>“If no modified duty project is available or the employee is otherwise unable to continue working in any capacity, for medical reasons the employee may request to be placed on the appropriate leave (if available), or may apply to the Pension Board for disability leave to be granted at the board’s discretion. To be eligible for maternity leave, pursuant to the Family Medical Leave Act, the employee must have been employed by the department for at least 12 months prior to making the request.”</p> <p>Peoria Illinois Police Department Policy as per email March 17, 2008.</p>	P
<b>Phoenix, AZ</b>	<a href="http://www.phoenixpolice.com/ppdops/">http://www.phoenixpolice.com/ppdops/</a> , last referenced March 20, 2008.	C City follows FMLA
<b>Pittsburgh, PA</b>	as per email April 17, 2008.	C City follows FMLA
<b>Pocatello, ID</b>	as per email April 17, 2008.	C City follows FMLA
<b>Portland, ME</b>	as per email correspondence March 20, 2008	C City follows FMLA
<b>Portland, OR</b>	with light duty provision as per email April 18, 2008.	C City follows FMLA
<b>Prescott, AX</b>	As per email March 17, 2008.	C FMLA with spousal exception
<b>Punta Gorda, FL</b>	<a href="http://www.ci.punta-gorda.fl.us/userdata/hr/COPGPRR032907.pdf">http://www.ci.punta-gorda.fl.us/userdata/hr/COPGPRR032907.pdf</a> , last referenced April 17, 2008.	C FMLA with spousal exception
<b>Racine, WI</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Rapid City, SD</b>	Survey responses range from having received no accommodations made on the part of the department and limited duty assignment.	C City follows FMLA
<b>Redding, CA</b>	<p>Entitled to pregnancy disability leave as per California’s leave act.</p> <p>As per fax received March 24, 2008.</p>	C City provides excess of FMLA
<b>Reno, NV</b>	<p>Survey response reports limited duty assignment</p> <p><a href="http://www.cityofreno.com/Index.aspx?page=1044">http://www.cityofreno.com/Index.aspx?page=1044</a>, last referenced April 17, 2008.</p>	C City follows FMLA
<b>Richmond, VA</b>	<p>Department follows city policy, follows FMLA with spousal exception</p> <p><a href="http://www.ci.richmond.va.us/departments/hr/FAQFMLA.aspx">http://www.ci.richmond.va.us/departments/hr/FAQFMLA.aspx</a>, last referenced April 17, 2008.</p>	C FMLA with spousal exception
<b>Roanoke, VA</b>	<p>City provides for light duty assignment for up to a year.</p> <p>As per email March 17, 2008</p>	C City provides excess of FMLA
<b>Rochester, MN</b>	<a href="http://www.rochestermn.gov/departments/police/jobs/index.asp">http://www.rochestermn.gov/departments/police/jobs/index.asp</a> , last referenced April 17, 2008.	C City follows FMLA

<b>Rochester, NY</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Rocky Mount, NC</b>	Survey response reports limited duty assignment as per email March 17, 2008.	C City follows FMLA
<b>Sacramento, CA</b>	<p>"13.4 Pregnancy Disability Leave: The pregnancy disability benefit shall be applicable to female employees as follows: a. Full-time career employees who are pregnant shall be eligible for a maximum City-paid pregnancy disability leave of four (4) weeks consisting of up to one hundred-sixty (160) hours of continuous paid time off. Part-time career employees who are pregnant shall be eligible for up to eighty (80) hours of continuous City-paid time off during the four (4) week pregnancy disability leave. Unused pregnancy disability leave shall have no cash value. Non-career employees are not eligible for the four (4) weeks of City-paid pregnancy disability leave. b. To be eligible for the paid leave the employee must have completed at least 2,080 hours of service from the most recent date of hire preceding the request for pregnancy disability leave. c. To obtain pregnancy disability leave, the employee shall submit a request for time off and verification of medical disability for the duration of such leave. d. Upon return from pregnancy disability leave on the date previously authorized, employees shall be reinstated in the former department and in the classification last held. e. In addition to pregnancy disability leave, an eligible employee may request parental leave for a maximum of seven (7) months of leave by utilizing accrued and available hours of vacation, compensatory time off (CTO), holiday, sick leave and/or unpaid leave."</p> <p><a href="http://www.cityofsacramento.org/labor-relations/Documents/PDFs/contracts/Police.pdf">http://www.cityofsacramento.org/labor-relations/Documents/PDFs/contracts/Police.pdf</a>, last referenced April 26, 2008.</p>	UC Agreement between Sacramento Police Officers Association and City of Sacramento
<b>St Cloud, MN</b>	<p>"18.13 Any employee who has no sick leave, and is mentally or physically incapacitated to perform his/her duties; or who, for any stated reason including maternity, wishes to absent himself/herself from his/her duties, may be granted a leave of absence in accordance with Section 18.15 of this Memorandum of Understanding. Such leave shall be granted only when it is deemed to be in the best interest of the City, and except in case of illness or disability, shall not exceed one year."</p> <p><a href="http://www.ci.stcloud.mn.us/HumanResources/HRIndex.htm">http://www.ci.stcloud.mn.us/HumanResources/HRIndex.htm</a>, last referenced April 17, 2008.</p>	UC Memorandum of Understanding LELS Local #281 Police Sergeants
<b>St. Louis, MO</b>	as per email March 17, 2008	C City follows FMLA
<b>Salem, OR</b>	<p>"c. At the employee's request, during her pregnancy and/or post partum recovery, the Police Chief may, in his/her discretion, assign the employee to temporary duties of a less strenuous or demanding nature, or part-time work within the department."</p> <p><a href="http://www.cityofsalem.net/system/galleries/download/humanresources/Final_SPE_U_2006_2010.pdf">http://www.cityofsalem.net/system/galleries/download/humanresources/Final_SPE_U_2006_2010.pdf</a>, last referenced April 17, 2008.</p>	UC Collective Bargaining Agreement between the City of Salem the Salem Police Employees' Union
<b>Salinas, CA</b>	As per mail received	C FMLA with spousal exception

<b>San Angelo, TX</b>	as per email March 17, 2007	C City follows FMLA
<b>Sandusky, OH</b>	as per email March 18, 2008	C City follows FMLA
<b>Oakland, CA</b>	<a href="http://www.oaklandnet.com/government/fwaweb site/personnel/CSR8.htm">http://www.oaklandnet.com/government/fwaweb site/personnel/CSR8.htm</a> , last referenced May 5, 2008.	C City follows FMLA
<b>San Diego, CA</b>	Entitled to paid leave, provided by California's pregnancy disability act. Are also eligible for up to a year of unpaid leave. As per email April 23, 2008.	C City participates in California's pregnancy disability program
<b>San Jose, CA</b>	"Under the Federal Family and Medical Leave Program an employee may qualify for up to 12 weeks of Family Leave including 12 weeks of paid medical insurance premiums. The employee must have more than 12 months of service with the City and have worked at least 1250 hours in the prior 12-month period. Family Leave may be use for the birth, adoption or foster care placement of a child; or for his or her own serious health condition or that of a child, parent or spouse. Paid leave, if used for a family or personal illness, will be subtracted from the 12 weeks of leave required by the Family and Medical Leave Act and the 12 weeks of paid medical insurance contributions required by the Federal Law." <a href="http://www.sipd.org/Records/DocumentCTR.html">http://www.sipd.org/Records/DocumentCTR.html</a> last referenced April 27, 2008.	C City follows FMLA
<b>San Luis, CA</b>	Survey response reports limited duty assignment <a href="http://www.ci.sanluisobispo.ca.us/humanresources/download/SLOPOA%20MOA%202004-05.pdf">http://www.ci.sanluisobispo.ca.us/humanresources/download/SLOPOA%20MOA%202004-05.pdf</a> , last referenced May 9, 2008.	C City follows FMLA
<b>Santa Barbara, CA</b>	"Pursuant to California Pregnancy Disability Leave law, unpaid leaves for up to four (4) months may be granted during any period of disability due to pregnancy, childbirth, or related medical condition. Additionally, maternity leave may be extended up to a maximum of one (1) year subject to the operational needs of the department as determined by the Department Head, and approved by the City Administrator or his designee. All medical leaves require a doctor's certificate of disability." As per email March 18, 2008	C City participates in California's pregnancy disability program
<b>Santa Cruz, CA</b>	"An employee may take a leave of absence of up to four (4) months in length for the purpose of pregnancy disability leave. The City may request a licensed medical practitioner's opinion regarding any work restrictions that may exist prior to or after the birth. Requests for maternity leave must be made in writing to the Chief of Police at least thirty (30) days in advance of the anticipated starting date. Such requests must include specific begin and end dates for the leave. Starting dates should be as accurate as possible barring any unforeseen medical issues related to the pregnancy or earlier or later birth than anticipated. Any requests for extension of pregnancy disability leave must be made in writing to the Chief of Police at least ten (10) calendar days prior to the scheduled end of the existing leave. The employee may elect to use any appropriate paid leave either before or after an approved pregnancy disability leave, within the use limitations of these leave provisions. No combination of pregnancy disability leave, family leave, sick leave, or vacation may exceed one year total or seven (7) months post-partum." as per email March 18, 2008	UC City participates in California's pregnancy disability program

<b>Santa Fe, NM</b>	As per email April 21, 2008.	C FMLA with spousal exception
<b>Sarasota, FL</b>	<a href="http://www.sarasotagov.com/InsideCityGovernment/Content/HumanResources/HRMajorDocuments/HRRulesRegs11.html">http://www.sarasotagov.com/InsideCityGovernment/Content/HumanResources/HRMajorDocuments/HRRulesRegs11.html</a> , last referenced April 17, 2008.	C City follows FMLA
<b>Sherman City, TX</b>	as per email April 21, 2008.	C City follows FMLA
<b>Sioux City, IA</b>	“4.7 Maternity Leave: a. Grant: Maternity leave shall be granted if requested by the employee. Any temporary disabilities caused or contributed to by pregnancy and/or childbirth shall be considered a personal illness and all regular sick leave benefits, rules and regulations shall apply the same as any other illness. b. Extended Maternity Leave Without Pay: A leave of absence beyond the time of medical confinement for pregnancy and childbirth may be granted without salary or sick leave benefits for a period not to exceed one year. If an extended leave of absence is anticipated, a request for a leave shall be filed with the Human Resources Director reasonably in advance of the anticipated absence. City Policy <a href="http://www.siouxcity.org/pdflib/F0D5304D7760444AB696F186E822C9FC.pdf">http://www.siouxcity.org/pdflib/F0D5304D7760444AB696F186E822C9FC.pdf</a> , last referenced April 17, 2008.	C City provides an excess of FMLA
<b>Sioux Falls, SD</b>	as per email March 18, 2008	C City follows FMLA
<b>Spokane, WA</b>	“Family Leave: 4.1 An eligible employee may take up to twelve (12) work weeks of leave during any twelve (12) month period because of the birth of that employee’s son or daughter and to care for that son or daughter, or because of the placement of a son or daughter with the employee for adoption or foster care. The child must be under 18 years old, or 18 and older and incapable of self-care because of a physical or mental disability. 5.1 Two employees married to each other may have their leave limited to an aggregate of twelve (12) weeks - unless they are taking the time off to care for a sick parent, in which case the restriction does not apply.” As per email March 25, 2008	C City follows FMLA with spousal exception
<b>Springfield, MO</b>	as per email April 18, 2008.	C FMLA with spousal exception
<b>Springfield, IL</b>	Survey response reports limited duty assignment	C City follows FMLA
<b>Springfield, OH</b>	as per email April 24, 2008.	C City follows FMLA

<b>Stockton, CA</b>	<p>“9.7 Leave of Absence Without Pay (a) Purpose and Length. Only employees occupying regular positions on a permanent basis are eligible for leaves of absence without pay under the provisions of this Section. An appointing authority may grant a leave of absence without pay for personal reasons up to a maximum of twelve (12) months with approval of the Director of Human Resources. Leaves of absence without pay on account of illness or injury which are not job-incurred may be granted for a maximum period of twelve (12) months with approval of the Director of Human Resources. This includes disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth and recovery there from.”</p> <p><a href="http://www.stocktongov.com/humanresources/NeoGovDocs/SPOA_MOU.pdf">http://www.stocktongov.com/humanresources/NeoGovDocs/SPOA_MOU.pdf</a>, last referenced April 18, 2008.</p> <p>City does not pay into SDI but police employees pay into a union- sponsored disability program, as per email April 21, 2008.</p>	UC Memorandum of Understanding City of Stockton, Stockton Police Officers’ Association
<b>Tallahassee, FL</b>	FMLA with light duty provision per fax received March 18, 2008	P
<b>Tampa, FL</b>	As per phone call April 24, 2008.	C FMLA with spousal exception
<b>Terre Haute, IN</b>	As per email March 18, 2008.	C FMLA with spousal exception
<b>Topeka, KS</b>	Survey response reports administrative duty assignment	C City follows FMLA
<b>Tulsa, OK</b>	as per email correspondence March 24, 2008.	C City follows FMLA
<b>Tyler, TX</b>	<p>Departmental policy in development state</p> <p>As per email March 18, 2008</p> <p>In a follow-up conversation with the city’s human resources department, was informed that all city agencies follow FMLA.</p> <p>As per email April 6, 2008.</p>	C City follows FMLA
<b>Vero Beach, FL</b>	<p>Survey response combination of light and none</p> <p>As per email March 18, 2008</p>	C City follows FMLA
<b>Victoria, TX</b>	<p>Survey response reports light duty assignment</p> <p>As per email March 18, 2008.</p>	C FMLA with spousal exception
<b>Vineland, NJ</b>	as per email April 21, 2008.	C City follows FMLA
<b>Visalia, CA</b>	<a href="http://www.ci.visalia.ca.us/civica/filebank/blobdload.asp?BlobID=3958">http://www.ci.visalia.ca.us/civica/filebank/blobdload.asp?BlobID=3958</a> , last referenced April 18, 2008.	C City follows FMLA
<b>Wausau, WI</b>	Survey response reports light duty assignment	C City follows FMLA
<b>Washington, DC</b>	<a href="http://dchr.dc.gov/dcop/cwp/view.A,1218,Q,639418.asp#1281">http://dchr.dc.gov/dcop/cwp/view.A,1218,Q,639418.asp#1281</a> , last referenced April 18, 2008.	C District follows FMLA

<b>Waterloo, IA</b>	Survey responses yielded a range of accommodations: light duty assignment, administrative, and none.	C City follows FMLA
<b>Wenatchee, WA</b>	“7.9 Pregnancy and Child Birth Leave: Light duty will be available, if medically necessary, for a period of six (6) months during an officer’s pregnancy. Any time taken after the birth of the officer’s child will be subject to the leave provisions set forth in this agreement. Under the Family Medical Leave Act (FMLA), an officer who otherwise qualifies will receive up to three (3) months of unpaid leave (or paid leave from accrued sick leave or vacation benefits) up to a maximum of twelve (12) weeks, within a twelve (12) month time frame. The twelve (12) months will begin to run from the day leave under the Family Medical Leave Act is taken.” <a href="http://www.wenatcheewa.gov/Index.aspx?page=172">http://www.wenatcheewa.gov/Index.aspx?page=172</a> , last referenced April 18, 2008.	UC Agreement by and between the City of Wenatchee, Washington and Wenatchee Police Guild
<b>Wichita, KS</b>	<a href="http://www.wichitagov.org/NR/rdonlyres/918F1C5C-35F4-4D2F-8F7F-4E0FBCCA56E6/0/FMLA_Policy_15d.pdf">http://www.wichitagov.org/NR/rdonlyres/918F1C5C-35F4-4D2F-8F7F-4E0FBCCA56E6/0/FMLA_Policy_15d.pdf</a> , last referenced April 18, 2008.	C FMLA with spousal exception
<b>Wilmington, NC</b>	<a href="http://www.wilmingtonnc.gov/LinkClick.aspx?fileticket=l4xvqjb7rJc%3d&amp;tabid=108&amp;mid=526">http://www.wilmingtonnc.gov/LinkClick.aspx?fileticket=l4xvqjb7rJc%3d&amp;tabid=108&amp;mid=526</a> , last referenced April 18, 2008.	C City follows FMLA
<b>Winston, NC</b>	as per email April 18, 2008.	C City follows FMLA
<b>Worcester, MA</b>	Survey response reports light duty assignment	C City follows FMLA
<b>Yuba City, CA</b>	<a href="http://www.yubacity.net/documents/Human-Resources/rules-regulation.pdf">http://www.yubacity.net/documents/Human-Resources/rules-regulation.pdf</a> , last referenced April 18, 2008.	C City follows FMLA

## **Appendix C**

### **A copy of the survey instrument**

#### **Email Request for participation sent to Chiefs of Police**

Dear Chief \_\_\_\_\_,

I respectfully request your help in the completion of an academic study on family leave policies in U.S. police departments.

I have compiled a brief survey that I hope will not require too much of anyone's time (it may not even be applicable in your department's case). I am polling female officers who were or are now pregnant in order to gain some insight of how pregnancies are dealt with in police departments. As of now, this project is only for my dissertation. If it is at all possible, would you mind disseminating this survey to any formerly pregnant, or currently pregnant, uniformed police officer? If you do not have, or have had, a pregnant officer in the past, how would you, hypothetically, handle such a situation?

I realize this is a rather impersonal way to gather information so if you would like to speak with me, I have included my cell and my work phone if you have any further questions or would just like to hear more about my study. I can't imagine how busy you are so I am thankful for any response at all that I get. As this is purely scholarly in intent, any response is also voluntary so I understand if you do not want to participate. I am truly excited about what I am doing because no one has conducted such a study to date.

If you choose to participate in this study, please forward the following information to the participants:

Please return the survey via email. Since you may be completing this at work, please clean out your temporary internet files and close the browser after submitting the survey. All information concerning the identity of each participant will be protected. Unless I am asked by the participant to identify their department and first name, I will not do so! In no way do I want to jeopardize your employment or reputation so all of your information will be kept private.

There will be no benefits from this study and completion is on a completely voluntary basis. If you choose not to participate, you will not be subject to any loss of services or benefits. If you have any questions about your rights as a subject/participant in this research, or if you feel you have been placed at risk, please contact the University of New Orleans Institutional Review Board, Dr. Ann O'Hanlon, 504-280-6418.

### **Survey attached to email request**

My name is Corina Schulze and I am a doctoral candidate at the University of New Orleans. I am currently in the process of writing my dissertation. I would appreciate any guidance at all that you can give me and thank you in advance for your time. If you need any extra information, please feel free to contact me. I am researching how different police departments have managed with the current policy and am hoping that you could provide me with some personal insight. This information is, of course, completely confidential and your name will not be mentioned unless you specifically tell me that I may report your identity. If you have any questions or comments that you would like to address to me personally, please feel free to call or email me. My office number is (504) 280-6467 and my email address is

[cschulze@uno.edu](mailto:cschulze@uno.edu).

If you would like to elaborate on any of these questions, please do!

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1. Before your pregnancy, were you aware of your department's maternity leave policy? If so, what was your understanding of this policy?
2. Upon officially reporting your desire to take leave to your supervisor, what information was given to you concerning your leave options?
3. What types of accommodations (and/or leave) were made on behalf of your department for the time of your pregnancy?
4. Do you feel that the current leave policy could be improved? If so, how?
5. How long have you been working for your police department?



## Appendix D

The variables used in the statistical analyses are provided below. The distributions for the dataset contain only police departments and school districts with verified policies and are the data used in the empirical component of this study. Each variable's distribution is reported through minimum and maximum values, measures of central tendency, and standard deviation. Note that the hypotheses are general whereas many of the variables below are organization-specific. For example, "leave" can be substituted with the variables police department leave (pleave) or school district leave (sleave).

<b>Dataset</b>					
<b>Variable (Variable label in parentheses)</b>	<b>n</b>	<b>Min. Value</b>	<b>Max. Value</b>	<b>Mean</b>	<b>S.D.</b>
<b>Leave (leave)</b>					
<b>Police Department (pleave)</b>	203	1	5	2.1428	1.0429
<b>School District (sleave)</b>	315	1	5	2.3651	1.0329
<b>Female membership on legislative bodies (wrep)</b>					
<b>Proportion on city councils</b>	203	0	1	0.2640	0.1801
<b>Proportion on school boards</b>	315	0	1	0.4363	0.1936
<b>Female administrative head (adminhead)</b>					
<b>Chief of Police</b>	201	0	1	N/A	N/A
<b>Superintendent</b>	315	0	1	N/A	N/A
<b>Bureaucratic representation (brep)</b>					
<b>Proportion women police (wofficers)</b>	130	0.00	0.32	0.1094	0.0503
<b>Proportion women teachers (teachers)</b>	158	0.29	0.86	0.6878	0.0656
<b>NOW chapters (now)</b>	315	0	1	N/A	N/A
<b>Women's studies (wstudies)</b>	315	0	2	N/A	N/A
<b>Social Group Representation (sgrep)</b>	315	0	2	N/A	N/A
<b>(Social group)(descriptive representation)</b>					
<b>Police Department (inter1)</b>	190	0.00	1.56	0.2457	0.3160
<b>School District (inter2)</b>	302	0.00	1.78	0.4058	0.4787
<b>Educational attainment (edu)</b>	310	.10	.78	.2597	.1050
<b>Vote for democratic president (party)</b>	200	11.60	82.10	44.8260	12.3378
<b>Birth rate per 1000 (birth)</b>	311	17	118	56.9421	15.7847
<b>Proportion grandparents responsible (grand)</b>	307	0	0.43	0.0848	0.0656
<b>Population dispersion (popdisp)</b>	315	6.70	2787.30	288.4235	356.1361
<b>State, restricted (state1)</b>	315	0	1	N/A	N/A
<b>State, inclusive (state2)</b>	315	0	1	N/A	N/A
<b>Proportion kindergarten and elementary school teachers that are women (kinder)</b>	158	0.0834	0.8911	0.7845	0.0707
<b>Proportion secondary school teachers that are women(second)</b>	158	0.0000	0.8320	0.5914	.08930
<b>Pleave logit dependent variable (logit1)</b>	203	0	1	N/A	N/A
<b>Sleave logit dependent variable (logit2)</b>	315	0	1	N/A	N/A

## Appendix E

Listed below are the regression findings of the supplementary models and numbered as identified in the text.

### 1. Oprobit regression results for the restricted police model

	Oprobit Model
Chief of police	-.3954(.4830)
Women council members	.4252(.5724)
Women police officers	.0478(.0212)**
Social Group Representation	.2335(.1375)*
LR chi2	10.34*
Pseudo R <sup>2</sup>	.04
n	108

Note: \* =  $p < .10$ , \*\* =  $p < .05$ , \*\*\* =  $p < .01$ . standard errors in parentheses.

### 2. Oprobit regression results for NOW and women's studies programs on police policy

	Oprobit Model 1	Oprobit Model 2
Chief of police	-.0457(.4094)	-.3526(.4802)
Women council members	.2365(.5290)	.5428(.5404)
Women police officers	.0418(.0202)**	.0478(.0207)**
NOW chapters	.5701(.2084)***	--
Women's Studies	--	.0581(.1707)
Constant	--	--
LR chi2	14.71***	7.18
Pseudo R <sup>2</sup>	.05	.02
n	128	118

### 3. Oprobit regression results for the expanded police model

Determinants of family leave policy in police departments: Contextual effects included

	Oprobit model
Chief of police	-.2336(.5557)
Women council members	.2136(.6341)
Women police officers	.0249(.0245)
Social Group Representation	.0312(.1724)
Population dispersion	.0006(.0005)
Population	-.0016(.0018)
Bachelors degrees	.0237(.0149)
Fertility rate	.0081(.0091)
Grandparents	-1.8843(2.0558)
Democratic candidate	.0443(.1391)
State1 (restricted)	.4921(.3562)
State2 (inclusive)	.4994(.4215)
Vote for dem. Candidate	.0039(.0112)
LR chi2	21.55*
Pseudo R <sup>2</sup>	.08
n	112

### 4. Oprobit Regression Results for the restricted school model

	Oprobit model
Superintendent	.2492(.2154)
Board members	.8466(.7956)
Teachers	-1.7057(1.3561)
Social Group Representation	.6397(.3040)**
Interaction	-.8530(.6296)
LR chi2	10.47*
Pseudo R <sup>2</sup>	.03
n	133

## 5. GLLAM: Adding contextual effects

	Oprobit Model	Logit Model
Agency ID (police or school)	-.4042(.7066)	.0413(1.4497)
Bureaucratic Representation	.0109(.0117)	.0268(.0242)
Administrative representation	.2299(.2038)	.3268(.4265)
Political representation	.2873(.3890)	.3092(.8712)
Social Group representation	.1624(.1053)	.3414(.2320)
Mayor	-.2161(.2155)	-1.1159(.5222)**
Population dispersion	.0001(.0003)	-.0002(.0008)
Bachelors degrees	.0036(.0085)	.0133(.0181)
Fertility rate	.0044(.0056)	.0127(.0129)
Grandparents	-1.9225(1.1603)*	-3.4330(2.6048)
Democratic candidate	-.0705(.0744)	-.2288(.1654)
State1 (restricted)	.7882(.2280)***	1.4070(.4932)***
State2 (inclusive)	.2978(.2516)	-.1664(.5541)
LR chi2	36.31***	53.83***
Pseudo R <sup>2</sup>	.05	.17
n	243	243

## **Vita**

Corina Schulze was born in Nuremberg, Germany, where she lived until age nine when her family moved to Colorado Springs, Colorado. In 1996, she graduated from Liberty High School. After earning a Bachelor of Arts in Criminal Justice from New Mexico State University in 2000, she relocated to New Orleans where she completed a Master of Arts in Political Science from the University of New Orleans in 2002. She graduated from the United States Secret Service training facility and worked as a Special Agent until 2004. She returned to New Orleans to complete her Doctorate of Political Science at the University of New Orleans. Corina Schulze has accepted a position as Assistant Professor at the Department of Criminal Justice and Political Science at the University of South Alabama.