

Policy 6-409 Graduate Student Parental Leave

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I. Purpose and Scope

A. Purpose.

This policy establishes and governs paid or unpaid leave benefits the University provides for the birth, adoption, or foster placement of children by Graduate Students in all academic units.

B. Scope.

This policy applies to all University of Utah Graduate Students and all departments, divisions, and colleges that enroll Graduate Students. This policy provides both unpaid and paid parental leave benefits. To be eligible for paid parental leave, the Graduate Student must be enrolled in the University's Tuition Benefit Program (TBP).

II. Definitions

The following definitions apply for the limited purposes of this policy and any associated regulations.

- A. "Graduate Student" means an individual who is enrolled in a University of Utah Graduate Degree Program. "Graduate Student" does not include an individual who is enrolled in a graduate certificate program as a non-matriculated student.
- B. "Child" means a biological, adopted or foster Child, stepchild, legal ward, or a Child of a person standing in loco parentis.
- C. "Graduate Degree Program" means an academic program that confers a post-baccalaureate degree, including professional graduate degrees.
- D. "Parent" means a biological Parent or an individual who performs all parental duties in lieu of a biological Parent.
- E. "Parental Leave of Absence" means a leave of absence a Graduate Student takes from a Graduate Degree Program to care for a Child after the birth of a Child or placement of a Child with the Graduate Student for adoption or foster care.

- F. “Good Standing” means making satisfactory progress toward a graduate degree according to degree program and university requirements. “Good Standing” also includes completing all required coursework according to the program curriculum, maintaining a satisfactory GPA, and completing any mandatory exams or milestones that are required at the current stage of the student’s graduate career.

III. Policy

A. General Eligibility

1. A Graduate Student is eligible for a Parental Leave of Absence if the Graduate Student has been matriculated in a Graduate Degree Program for at least one semester and is otherwise in Good Standing within their degree program at the time the Parental Leave of Absence is taken.
2. Nothing in this rule precludes an academic unit from providing similar benefits to trainees other than Graduate Students eligible under this policy or providing to Graduate Students more extensive benefits for parental or other family responsibilities, so long as similarly-situated Graduate Students in the same academic unit are treated consistently and any more extensive benefits are not in violation of another University regulation.
3. A Graduate Student eligible for paid Parental Leave of Absence may take a single Parental Leave of Absence for each birth, adoption, or foster placement, and is eligible to take up to a maximum of two paid total Parental Leaves of Absence during the duration of their Graduate Degree Program. Alternatively, the eligible Graduate Student may choose to take a single unpaid Parental Leave of Absence for each birth, adoption, or foster placement, in lieu of, or in excess of, the above provided paid Parental Leaves of Absence. A Graduate Student not eligible for paid Parental Leave of Absence may take a single Parental Leave of Absence for each birth, adoption, or foster placement, without limits on the number of births,

adoptions, or foster placements, during the duration of their Graduate Degree Program.

4. A Graduate Student who is a birth Parent who does not become the legal Parent of the Child following birth is not eligible for a Parental Leave of Absence; however, the Graduate Student may be eligible for a medical leave of absence for any disability or complications resulting from the birth.

B. Parental Leave of Absence

1. An eligible Graduate Student may take a Parental Leave of Absence from a Graduate Degree Program for up to eight consecutive weeks following the birth, adoption, or foster placement of a Child.
 - a. If the Child's Parents are both eligible University of Utah employees, Postdoctoral Fellows, or Graduate Students, both parents may be entitled to a University-sponsored leave of absence according to their eligibility requirements and terms of the relevant University policy.
2. The Parental Leave of Absence is unpaid unless the Graduate Student qualifies for continuation of financial support set forth in Section III.C.1.
3. A Graduate Student may request, and the Graduate School may grant, upon recommendation of the Center for Disability and Access (CDA), the Office of Equal Opportunity and Affirmative Action (OEO), or the academic unit, a Parental Leave of Absence that is longer than eight weeks. An academic unit may extend additional Parental Leave Benefits beyond the minimum established in this policy, in accordance with the academic unit's parental leave policy.
4. Certain externally funded graduate fellowships may require a formal notification and approval from the funding agency for extension beyond a standard duration, as required by the terms of the fellowship award.
5. A Graduate Student who is eligible for a Parental Leave of Absence is entitled to petition the Dean of the Graduate School to receive an extension

of the time to complete the Graduate Student's degree, regardless of whether the student takes the Parental Leave of Absence.

6. A Graduate Student who takes a Parental Leave of Absence shall remain enrolled in the Graduate Degree Program.
7. A Graduate Student who takes a Parental Leave of Absence has a right to continue in the Graduate Degree Program following the Parental Leave of Absence.

C. Paid Parental Leaves of Absence for Graduate Students on TBP-eligible Fellowships, Teaching Assistantships, or other Research Assistantships

1. During a paid Parental Leave of Absence, a Graduate Student who is supported by a TBP eligible fellowship, teaching assistantship, graduate assistantship, or other research assistantship that is administered by the University:
 - a. is excused from the Graduate Student's duties related to the fellowship, teaching assistantship, or other research assistantship; and
 - b. shall continue to receive the Graduate Student's current level of financial support.
2. A Graduate Student is required to resume the duties of their fellowship, teaching assistantship, graduate assistantship, or other research assistantship after a Parental Leave of Absence. Failure to resume the duties of the fellowship or assistantship may result in the termination from the position and loss of stipend and benefits.

D. Notification and Approval

1. The Graduate School shall establish a form and process for a Graduate Student to apply for a Parental Leave of Absence.
 - a. A Graduate Student who intends to take a Parental Leave of Absence shall request approval through the Graduate School's form and process.

F. Parental Leave and the Family Medical Leave Act (FMLA)

1. A Parental Leave of Absence taken under this Policy runs concurrently with leave available under the Family and Medical Leave Act (FMLA) and does not extend or defer FMLA leave.
2. An eligible Graduate Student may, in addition to a Parental Leave, qualify for unpaid leave under the FMLA during the same 12-month period to the extent the Graduate Student has not otherwise exhausted their FMLA during the relevant time period.

G. Exceptions from Eligibility Requirements

1. The Dean of the Graduate School, at the request of CDA, OEO, or the academic unit, may grant a Graduate Student an exception to the requirements for eligibility for a Parental Leave of Absence.

Sections IV- VII are for user information and are not subject to the approval of the Academic Senate or the Board of Trustees. The Institutional Policy Committee, the Policy Owner, or the Policy Officer may update these sections at any time.

IV. Policies/ Rules, Procedures, Guidelines, Forms, and other Related Resources

A. Policies/ Rules.

1. Policy 1-012: University Non-discrimination Policy

B. Procedures, Guidelines, and Forms. [*reserved*]

C. Other Related Resources. [*reserved*]

V. References

A. [*reserved*]

VI. Contacts

The designated contact officials for this regulation are

- A. Policy Owners (primary contact person for questions and advice): Dean of the Graduate School
- B. Policy Officers: Senior Vice President for Academic Affairs and Senior Vice President for Health Sciences

See University Rule 1-001 for information about the roles and authority of policy owners and policy officers.

VII. History

Revision History.

Current version. Revision 0.

Approved by -- Academic Senate June 6, 2022, and Board of Trustees June 14, 2022, with effective date of July 1, 2022.

Legislative History

Editorial Revisions

Previous versions.

Renumbering

Not applicable