

Subject: Faculty Parental Leaves of Absence

I. PURPOSE

To outline the university's policy for parental leaves of absence for the birth or adoption of children by regular faculty. Any questions regarding this policy should be referred to the Office of the Senior Vice President for Academic Affairs or the Office of the Senior Vice President for Health Sciences.

II. EFFECTIVE DATE

The effective date of this policy for regular faculty in all colleges except the School of Medicine shall be July 1, 2006. For regular faculty in the School of Medicine, the effective date of either this policy or a different policy on this subject adopted specifically for the School of Medicine shall be July 1, 2007. Until that time current policy on FLMA in PPM 2-21 and on probationary period extensions in PPM 8-6 will remain in effect in the School of Medicine.

III. REFERENCES

[PPM 2-21](#), Leaves of Absence (Health-Related)

[PPM 2-22](#), Leaves of Absence (Non Health-Related)

[PPM 8-6](#), Faculty Retention and Tenure of Regular Faculty

[PPM 8-8S](#), Leaves of Absence

29 Code of Federal Regulations 825.100 et seq., Family and Medical Leave Act Regulations

IV. DEFINITIONS

A. "Academic year" is defined for purposes of this policy as August 16 to May 15 for faculty on nine-month appointments and July 1 to June 30 for faculty on twelve-month appointments.

B. "Adopted child" refers to a child under six years of age or a special needs child placed for adoption. "Special needs child" means a child under the age of 18 who is incapable of self-care on a daily basis because of a mental or physical disability that substantially limits one or more major life activities.

C. "Annual base salary" means the total compensation approved in advance as the amount payable to a faculty member for normal and expected working time and effort, not in excess of 100% of full-time, for all services to be performed under all assignments during the appointment period. This term does not include compensation for separate assignments during nonworking intervals, approved overload assignments in the Division of Continuing Education, additional compensation for occasional services or payments made pursuant to authorized consulting or professional service contracts. (See [PPM 2-67](#), Additional Compensation and Overload Policy.)

D. "Partner" refers to a spouse or, in the case of unmarried faculty, to an adult who is certified as an eligible partner through Human Resources procedures.

E. "Primary caregiver" means a faculty member who provides the majority of child contact hours during the faculty member's regular academic working hours for a period of at least 15 weeks.

F. "Regular faculty" is defined as tenured or tenure-eligible faculty under [PPM 9-2](#).

V. FACULTY PARENTAL LEAVE

A. Eligibility

Benefits under this policy are available to a regular faculty member who either a) gives birth to a child within the academic year or within six weeks before the beginning of the academic year, or b) serves as the primary caregiver of her or his own newborn child or a partner's newborn child or of a newly adopted child within the period for which leave is sought. This policy does not apply to birth mothers who do not anticipate becoming the legal parent of the child following birth. In such cases, the faculty member will be covered by sick leave and FMLA policies.

Leave under this policy shall begin no more than three months prior to the birth/placement of a child and shall be completed no more than 12 months following the birth/placement. Exceptions must be approved by the cognizant senior vice president.

Only one University of Utah faculty member is guaranteed to qualify for this leave for a given instance of childbirth or adoption.

B. Notification

The eligible faculty member should notify her or his department chair of a request for a modification of duties as soon as possible and normally no fewer than three months prior to the arrival of the child. The request for an extension to the pre-tenure

probationary period or post-tenure review process may be made at the same time and must be made within three months of the arrival of the child and before a review begins. An application form is available

<http://www.admin.utah.edu/facdev/forms/parental-leave.pdf>.

C. Modified Duties

Upon request, an eligible faculty member will be granted modified duties for one semester for faculty on nine-month appointments or an equivalent period for faculty on twelve-month appointments. The faculty member may choose to continue some professional activities (e.g., meeting students, doing research, participating in hiring or RPT decisions) during this semester. The faculty member will receive pay at the rate of 95% of her or his annual base salary during that semester. If a portion of the compensation is received from grants or contracts, that portion of compensation must be based on actual effort performed for the award. All award requirements must be met. A faculty member will automatically receive modified duties no more than twice. Any subsequent requests will be subject to the approval of the cognizant senior vice president. For teaching loads that are unbalanced across the academic year, arrangements should be coordinated wherever possible such that modified duties would coincide with the semester with fewer teaching duties.

Parental leave under this policy is substituted for unpaid leave under the Family and Medical Leave Act (FMLA). Eligible faculty members may in addition qualify for unpaid leave under the FMLA during the same twelve (12) month period, but only in connection with a serious health condition. Such FMLA leave is normally unpaid except that accrued sick leave must be used. See [PPM 2-21](#) for more information.

Other leave that has been taken or is scheduled to be taken by an eligible faculty member shall not preclude parental leave under this policy. Correspondingly, parental leave taken or scheduled under this policy shall have no bearing on decisions regarding other leave for an eligible faculty member.

D. Adjustments to Tenured or Tenure-Eligible Appointments

Upon request, an eligible faculty member will automatically receive a one-year extension on her or his timetable for RPT or post-tenure reviews. Faculty members should not be expected to maintain normal scholarly productivity during an extension granted under this policy. A faculty member will automatically receive this extension no more than twice. Any subsequent requests will be subject to the approval of the cognizant vice president.

E. Unanticipated Events

Not all events surrounding pregnancy, childbirth, adoption, and the health of a young child can be fully anticipated by this policy. Requests for exceptions to this policy should be directed to the cognizant senior vice president.

F. Obligation to Return

The obligation to return to university service following the leave, applicable to other leaves under PPM 8-8S, Sec. 9, B., applies to this policy as well.

VI. RELATIONSHIP TO OTHER POLICIES

Nothing in this policy precludes academic units from providing similar benefits to faculty in addition to regular faculty or providing to any faculty members more extensive benefits for parental or other family responsibilities or personal disability. If any other University policy is inconsistent with the provisions herein, this policy shall govern.

VII. POLICY REVIEW

The implementation and the fiscal impact of the parental leave policy will be reviewed in three years from the date of passage. The report will be given to the Academic Senate. Concerns should be reported to the cognizant Associate Vice President for Faculty or for Health Sciences.

Approved: Academic Senate, May 1, 2006

Approved: Board of Trustees, May 8, 2006