

# Regulations Library

## The University of Utah

Policy: 6-315 Rev: 1  
Date: March 12, 2007

### Policy 6-315: Faculty Parental Leaves of Absence

#### I. Purpose

To outline the university's policy for parental leaves of absence and extensions of the review timetable for the birth or adoption of children by regular faculty and academic librarians. To maintain the university's general preference of providing leaves for faculty, except for brief absences, in increments of an academic term or semester, consistent with the length of most teaching assignments. 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. Scope and Effective Date

This policy applies for academic librarians and regular faculty in all colleges except the School of Medicine. The effective date of this policy is July 1, 2006.

#### III. References

**Policy 5-200**, Leaves of Absence (Health-Related)

**Policy 5-201**, Leaves of Absence (Non Health-Related)

**Policy 6-311**, Faculty Retention and Tenure of Regular Faculty  
(extension of pre-tenure probationary period for disability)

**Policy 6-314**, Leaves of Absence

**Policy 8-002**, School of Medicine (SOM) Faculty Parental 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 **Policy 5-403**, Additional Compensation and Overload Policy.)
- D. "Eligible faculty" is defined as library faculty or regular faculty with appointments that began before the expected arrival of a child.

- E. "Library faculty" is defined as academic librarians with continuing appointment or eligible for continuing appointment under **Policy 6-300**.
- F. "Parental leave benefits" refers to parental leaves of absence with modified duties (including disability leaves for birth mothers and care-giving leaves for all eligible parents) and/or extensions of the review timetable for the birth or adoption of children.
- G. "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.
- H. "Primary caregiver" for purposes of an extension of the review timetable means a faculty member who provides the majority of child contact hours during time that the faculty member would normally spend on productive scholarly pursuits for a period of at least 15 weeks. "Primary caregiver" for purposes of a care-giving leave 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.
- I. "Regular faculty" is defined as tenured or tenure-eligible faculty under **Policy 6-300**.

## V. Faculty Parental Leave: Eligibility, NOTIFICATION, BENEFITS

### A. Eligibility

1. Review timetable extensions under this policy are available to an eligible faculty member who either i) is due to and/or does give birth to a child no later than June 30 of the year in which the review to be extended is scheduled, or ii) is planning to and/or begins to serve as the primary caregiver of her or his own newborn child or a partner's newborn child or of a newly adopted child no later than June 30 of the year in which the review to be extended is scheduled.
2. Disability leave benefits and the resulting modified duties under this policy are available to an eligible faculty member who gives birth to a child within the semester for which leave is sought or within four weeks before the beginning of that semester.
3. Care-giving leave benefits and the resulting modified duties under this policy are available to an eligible faculty member who 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 semester for which leave is sought.
4. 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 may be covered by sick leave and FMLA policies.
5. Disability or care-giving 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.
6. Only one University of Utah faculty member is guaranteed to qualify for parental leave benefits for a given instance of childbirth or adoption. {Note-- An explanation of coordinating this policy with the School of Medicine policy will be added here, once the SOM policy is in final form.}

The qualifying faculty member is only guaranteed one semester of leave with modified duties for a given instance of childbirth or adoption.
7. A faculty member will automatically receive parental leave benefits no more than twice. Any subsequent requests for benefits in conjunction with additional instances of birth or adoption will be subject to the approval of the cognizant senior vice president.
8. Exceptions to these eligibility criteria must be approved by the cognizant senior vice president.

### B. Notification

An eligible faculty member should notify her or his department chair of a request for a

parental leave of absence with modification of duties as soon as possible and normally no fewer than three months prior to the expected arrival of the child. A request for a review timetable extension may be made at the same time and must be made within three months after the arrival of the child and before external reviewers are solicited or other action is taken to begin a formal review, whichever is earlier. A **Parental Leave application form** is available. A previously submitted request for a timetable extension may be revoked by written notice from the faculty member, submitted before the date on which action would ordinarily be taken to begin a formal review in that year's review cycle.

#### C. Parental Leaves of Absence, with Modified Duties (Disability Leave, Care- giving Leave)

Upon request, an eligible faculty member will be granted a parental leave of absence with modified duties for one semester for faculty on nine-month appointments or an equivalent period for faculty on twelve-month appointments. The faculty member will be released from professional duties during this period, but may choose to continue some professional activities (e.g., meeting students, doing research, participating in hiring or RPT decisions). 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, and all award requirements must be met. For teaching loads that are unbalanced across the academic year, arrangements should be coordinated wherever possible such that a leave with modified duties would coincide with the semester with fewer teaching duties.

Parental leaves of absence with modified duties under this policy are 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 **Policy 5-200** for more information.

#### D. Extension to Review Timetables

Upon making a timely request, an eligible faculty member will automatically receive a one-year extension on her or his overall timetable for retention, promotion and tenure (RPT) or post-tenure reviews. For an RPT review, an extension applies both to the next scheduled review, and the overall timetable for subsequent reviews. An extension taken at any time in a pre-tenure probationary period will extend the date for the final tenure review, as well as any intervening formal review. Faculty members should not be expected to maintain normal scholarly productivity during an extension granted under this policy.

#### E. Unanticipated Events

Not all events surrounding pregnancy, childbirth, adoption, and the health of a young child can be fully anticipated for purposes of 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 **Policy 6-314, Section 9.B**, applies to disability and caregiving leaves under this policy as well.

### VI. Examples of Policy Application

Examples of the application of this policy are available at this link **parental\_leave\_examples**. Examples are provided for illustrative purposes only. They do not constitute any part of this policy.

### VII. Relationship to Other Policies

A. Nothing in this policy precludes academic units from providing similar benefits to faculty

other than faculty eligible under this policy or providing to any faculty members or academic librarians more extensive benefits for parental or other family responsibilities or personal disability.

- B. Other leave that has been taken or is scheduled to be taken by a faculty member shall not preclude eligibility for parental leave benefits under this policy. Correspondingly, parental leave taken or scheduled under this policy shall have no bearing on decisions regarding other leave for a faculty member, except to the extent that a faculty member with a twelve-month appointment is subject to a department policy regarding proration of sick leave, vacation leave or professional development leave.
- C. If any other University policy is inconsistent with the provisions herein, this policy shall govern.

## VIII. Policy Review

The implementation and the fiscal impact of the this parental leave policy will be reviewed in three years from the original date of passage which was May 2006. 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.

## IX. Contacts:

Policy Owners:

Questions about this Policy and any related Rules, Procedures and Guidelines should be directed to the Associate Vice President for Faculty and the Associate Vice President for Health Sciences.

### Policy Officers:

Only the Sr. Vice President for Academic Affairs and the Sr. Vice President for Health Sciences or their designees have the authority to grant exceptions to this policy.

## X. History:

Renumbering: Renumbered as Policy 6-315 effective 9/15/2008, formerly known as PPM 8-8.1.

Revision history:

Current version: Revision 1

Approved by Academic Senate: March 5, 2007

Approved by Board of Trustees: March 12, 2007

Effective date of March 12, 2007

Format change: February 14, 2011

Background information for Revision 1:

**Proposal** to amend parental leave and related policies (6-311 & 6-315), spring 2007

Earlier revisions:

**Revision 0.** Effective dates July 1, 2006 to March 11, 2007

**Background** information for Revision 0:

## XI. Rules, Procedures, Guidelines, Forms and other related resources

Supplemental materials on Parental Leave Policy

**Examples of application** of University Policy 6-315

Parental Leave Policy Evaluation—Utah Educational Policy Center 2010.

### 1. **Executive Summary & Update**

## 2. Full Evaluation Report

OUTDATED