

## **H. Parental Leave Policy**

### **1. Primary Care Giver Leave**

Parental Leave is available to tenured or tenure-track faculty members who meet the eligibility requirements (a minimum of one academic year of employment at Adams State College in the preceding 12 months).

Any tenured or tenure-track faculty member who will become the primary care giver for a child may request up to a maximum of ONE SEMESTER leave at full pay; this ONE SEMESTER maximum includes all leave associated with the birth or adoption of a child. Such faculty member should keep in mind that one principle of this policy is to minimize the disruption of students' education that occurs when faculty leave their classes mid-semester and those classes must be covered by another instructor. Thus, it is the intention of this policy that faculty selecting leave will employ the provisions of this policy to minimize the disruption of student learning by arranging parental leaves, when possible.

Parental leave under this policy shall be taken in conjunction with other applicable leaves. Appropriate Family Medical Leave Act ("FMLA") paperwork is available through the Human Resource ("HR") office.

#### **a. Notice**

It is the intent of this policy that the faculty member gives as much notice as possible to ease the situation. To request parental leave, the faculty member who will become a primary care giver during the upcoming year will inform the Department Chair ("DC") and HR of the pregnancy/adoption as early as possible, but, when circumstances permit, no later than 60 days before the end of the semester, prior to the semester that the faculty member intends to take leave.

*i.* The faculty member will submit a document declaring her/his primary caregiver status. For the purpose of this policy, primary caregiver is defined as the individual most responsible for the health and well-being of another person.

*ii.* Only one College employee within a family may be the primary caretaker at a given time.

*iii.* The faculty member may request leave for any semester within one year of her/his change of status due to the birth/adoption of a child. The ONE SEMESTER of leave will encompass the birth/adoption date, unless there is a clear rationale to take leave a later semester.

*iv.* Once the faculty member notifies the DC and HR of her/his impending family status change, and FMLA certification is complete, the faculty member is immediately protected by FMLA, which guarantees job protection. The faculty member cannot be subject to reprisals for requesting leave. See Section X.G. of the Faculty Handbook for more information regarding FMLA and family medical leave.

**b. Course Coverage**

*i.* Upon receiving the above notification, HR will arrange a meeting with the faculty member, the DC and the Vice President for Academic Affairs (“VPAA”). FMLA leave forms should be completed according to FMLA regulations with the assistance of HR, and should be completed prior to this meeting. All parties at the meeting will receive a summary from HR indicating the need and eligibility for leave. At the meeting the parties will determine arrangements to cover faculty load. Options include, but are not limited to, offering faculty to teach overloads, hiring adjuncts, or not offering classes. (Please refer to Policy Number: 100-10-01 - Emergency Overload procedures.)

*ii.* The VPAA shall provide funding for course replacement based on an examination of the teaching load of the faculty member, departmental needs and college needs. Within two weeks of this meeting, the faculty member will indicate in writing whether she/he will opt to stop the tenure clock, as described below.

*iii.* If it is determined that someone must be hired to teach classes, the DC shall complete the Requisition for Personnel form and send it to the VPAA.

*iv.* It is not the responsibility of the faculty member on leave to make arrangements for coverage of his/her classes. In consultation with the VPAA, the DC shall arrange for coverage of the faculty member’s classes while she/he is on leave. The Department Chair may not ask the faculty member who will be on leave to assist in planning for coverage. However, the Department Chair may consult with the faculty member regarding the qualifications and suitability of possible replacement/adjunct faculty. Any such consultations should occur prior to the start of the semester during which the faculty member is on leave. While on leave, the Department Chair may correspond with the faculty member regarding plans for the faculty member’s return.

### c. Stoppage of Tenure Clock

*i.* Any tenure-track faculty member who informs the DC and HR that she/he will become a primary care giver for a child may elect to have her/his tenure clock stopped for one year. This stoppage is automatic, if requested, and will be granted upon receipt of notification by DC and HR.

*ii.* A Probationary (P) faculty member who elects to stop the tenure clock will not be evaluated for the year that she/he took leave. *FOR EXAMPLE, for a P faculty who takes a fall semester leave, her/his retention hearing would be postponed until the following fall, when the faculty member would submit her/his evidence folder for the year before she/he took leave. The faculty member would be reissued the same contract for the academic year at the same P status as the year before she/he took leave. The faculty member's tenure clock would then resume, following the normal pattern of retention and tenure hearings.* This means that the next retention hearing will have three semesters of evidence. Such faculty members are permitted to place in their folders any work completed during their leave that would support their application for retention or tenure. However, their ONE SEMESTER of leave cannot be used against them. These faculty members would come up for tenure after six years, rather than five years, and their ONE SEMESTER of leave during their year of leave will not affect their application.

*iii.* Tenured faculty taking parental leave will not submit an annual evaluation folder for the parental leave year.

*iv.* Faculty members who choose not to take a full semester, and who do not want the Tenure Clock to stop, may request to proceed with their normal tenure review year, following the normal Tenure Policy. However, said faculty member should be aware that she/he will be submitting a folder containing one fewer semester of evidence. This parallels the number of semesters used in evaluation of Probationary 1 faculty. Any partial semester, during which time FMLA is in effect, will not be included in the evidence folder.

### d. Faculty Member Responsibilities – Primary Caregiver

*i.* The faculty member will be relieved of ALL responsibilities during the ONE SEMESTER of parental leave. The faculty member is not expected to be on campus or respond to emails/phone calls. No work is required of the faculty member.

*ii.* The faculty member who takes leave as a primary care giver under this policy must agree in writing to return to active service at the College at the end of the leave for a period of not less than two

semesters or to reimburse the college in full for all salary and benefits paid during the leave.

## **2. Partner Leave or Secondary Care Giver Leave**

### **a. General**

A tenured or tenure-track faculty member whose spouse will become the primary care giver for a child (and she/he will become the secondary care giver) during the academic year is entitled to either two weeks of paid leave (a week is Monday through Friday), or a one course (minimum 3-credit hours) teaching reduction. Spouse shall include legal spouse as well as domestic partners as defined by the eligibility criteria for faculty benefits.

### **b. Notice**

*i.* A faculty member requesting two weeks of paid leave should inform the DC as early as possible, but no later than 30 days prior to the start of the semester in which the delivery/adoption is expected and in which she/he will be assuming the role of secondary care giver.

*ii.* A faculty member choosing a one course reduction must make this request no less than 60 days prior to the start of that semester in which the course reduction will occur.

### **c. Faculty Member Responsibilities – Secondary Caregiver**

*i.* In conjunction with the faculty member's chair, arrangements shall be made so that the faculty member's classes and responsibilities are covered during the two weeks of leave or to arrange the details of the one course teaching reduction.

*ii.* If the faculty member chooses the two week option, she/he will be relieved of ALL responsibilities during these two weeks. The faculty member is not expected to be on campus or respond to emails/phone calls. No work is required of the faculty member during these two weeks.

*iii.* Regardless of the type of option the secondary care giver chooses, any negative evaluative comments from students, other faculty or administrators regarding the use of secondary care giver leave under this policy cannot be used against the faculty member in tenure/promotion decisions.