

ELIGIBLE FACULTY PARENTAL LEAVE POLICY

Approved by: June Aprille, Provost

History: Issued May 2004

Revised: March 2008

Revised: May 2009

Related Policies: Combined Time Off, Parental Leave, Faculty Tenure Extension

Additional References:

Responsible Office: Provost

INTRODUCTION

Policy Statement

Washington and Lee University is committed to supporting its faculty with parental leave for eligible faculty who temporarily relinquish their duties following childbirth or adoption, in a manner consistent with its educational mission and the effective operation of the University. This policy is designed to provide a reasonable and fair period of paid leave to such employees and to address circumstances in which the University may need to reassign teaching and/or other duties as medically advised or to serve the integrity of the academic or administrative program.

Applicability

This policy applies to employees defined as voting faculty in the faculty handbook. This policy does not apply to visiting faculty and part-time teaching staff.

This policy is equally applicable to members of the eligible faculty who are in a domestic partner relationship. In such cases, there must be a legally recognized and enforceable joint adoption relationship between the eligible faculty member, the domestic partner, and the child, in order to take parental leave under this policy.

Definitions

Any applicable definitions to terms used in this policy are explained within the body of the policy.

POLICY

Leave Benefit

Except as otherwise provided below, the University will provide eight (8) consecutive weeks of paid parental leave to each birth mother or new adoptive mother who is a full-time member of its eligible faculty and who temporarily relinquishes the duties of her position following childbirth or adoption. This parental leave will be provided immediately following the birth of a child or adoption of a pre-school age child, beginning at the time of arrival of the child and running consecutively, except in extraordinary circumstances (such as, but not limited to, medical complications for the mother or child) where other leave timing is approved by the appropriate Dean. In the

case of adoption, eligible faculty may take parental leave before the actual adoption of the child, where approved by the appropriate Dean, for circumstances where the faculty member needs to be away from his/her position for the adoption to proceed (e.g., travel to another country to complete the adoption).

Note: This policy presumes that the mother of a child will be the primary caregiver; however, if an eligible faculty member is not the mother but is the primary caregiver for a child, that faculty member may use this parental leave.

Eligible faculty not assuming primary caregiver responsibilities for their newborn and newly adopted pre-school age children are eligible for two weeks of paid parental leave to be taken within the first three months following the birth of a child or the adoption of a pre-school age child.

In the event of a childbirth or adoption occurring during the summer months (June, July, August) to an eligible faculty member, this paid parental leave benefit will only apply for any balance of the eight (8) weeks that the faculty member would otherwise have been expected to be back to academic term duties (i.e., if the employee gives birth or adopts two weeks before the start of the fall term, she would receive six (6) weeks of paid parental leave beginning at the start of the fall term, but if the employee gives birth or adopts 10 weeks before the start of the fall term, she would not need the benefit of paid parental leave during the term, as she would not otherwise be losing any salary during the eight (8) weeks following the birth or adoption).

Interplay between Parental Leave and Other Available Leaves

This policy is independent of the University's paid sick leave benefit. However, paid parental leave will not extend unpaid leave available under the University's Family and Medical Leave (FMLA) policy. Rather, such paid leave will run concurrently with any FMLA leave available under the circumstances, as designated by the appropriate Dean. Nothing in this policy precludes the eligible faculty member from taking any remaining unpaid FMLA leave following the expiration of the University's paid parental leave, in accordance with the University's FMLA policy.

Requesting Parental Leave

Eligible faculty must request parental leave in writing to their department head ninety (90) days in advance of the requested leave start date (or as early as possible in the planning phase of an adoption process). The appropriate Dean must approve faculty requests for parental leave.

Reassignment of Teaching Duties and Extension of Tenure Probationary Period

Deans have the discretion to reassign teaching duties and assign alternate appropriate duties to an eligible faculty member taking parental leave under this policy, when medically advised or to serve the integrity of the academic or administrative program. The duration of such reassignment of duties will depend on when the birth or adoption occurs during the course of the academic term; however, Deans reserve the right to assign appropriate non-teaching duties to a faculty member up to four weeks before or after the

eight week parental leave period. An untenured faculty member who becomes the mother or father of a child through birth or adoption during the tenure probationary period shall be entitled to a one-year extension of the probationary period. An untenured faculty member who experiences other circumstances covered by the Family and Medical Leave Act that seriously interrupt the performance of professional duties during the tenure probationary period shall be entitled to a one-year extension of the probationary period. An untenured faculty member is entitled to only a single one-year extension under this policy regardless of the number of qualifying circumstances the faculty member experiences in the tenure probationary period. Thus, for example, the maximum probationary period for an untenured undergraduate faculty member who qualifies for an extension under this policy is seven (7) years rather than the usual six (6). An untenured faculty member who may qualify for an extension shall notify the school Dean as soon as the need for an extension becomes apparent, but in no event later than June 30 of the year prior to the academic year in which the tenure review would otherwise occur. Such requests will be addressed in accordance with the general policy on requests for extension set forth in the faculty handbook.

Annotated Revision History

Revised March 2008 to address tenure extension circumstances and process.

Revised May 2009 to address pre-adoption leave circumstances, clarify tenure probationary period extension language, and reformat in standard policy template.