

Longwood University Faculty Senate  
**PROPOSAL/POLICY COVER SHEET**  
**Maternity Leave**

This cover sheet is intended to provide information to members of the Faculty Senate about a new proposal/policy or about revisions to an existing proposal/policy. This cover sheet is being piloted during spring and fall 2011.

**If you are proposing a new policy, then attach the text of the policy to this form. If you are proposing a change to an existing policy, then attach the text of the current policy with any deleted language marked by a strikethrough and with new language marked by an underline. If you are deleting a policy, then attach the text of the policy to be deleted.**

**COMMITTEE(S)** that authored or sponsored this proposal: Ad Hoc Committee on Faculty Parental Leave

Committee Members: Lee Bidwell\* (Chair), Mark Lenker\*, Felita Lewis, Mark Lukas, Melanie Marks, Cathy Roy\*\*, Glenda Taylor (retired June 2011)

\*Faculty Senator during 2010-2011

\*\*Faculty Senate Executive Committee 2010-2011

**TOPIC:** Maternity Leave

**BACKGROUND** (Provide a brief statement describing the origins of this proposal, the nature of the problem it addresses, and the work completed to devise the proposal):

1. *Origins of the Proposal:*

- The Ad Hoc Committee on Faculty Parental Leave was formed in the Spring of 2011.
- The Committee originally was charged with “drafting a parental leave policy outlining a process for arranging time away from work for...parents.” As a part of that charge, the committee was asked to provide a “rationale for or against revising the current ‘Maternity Leave’ policy in favor of a Parental Leave policy.” After much research and discussion, ultimately the committee concluded that the issue of Maternity Leave and Parental Leave needed to be separated and is recommending that the current Maternity Leave policy be replaced with the proposed policy AND that a separate Parental Leave policy be created.

2. *Nature of the Problem the Proposal Addresses:*

- The current Maternity leave policy is fraught with numerous problems, including, but not limited to:

- No mention is made in the policy of the role of the department chair, who is central in the process of finding coverage for faculty on leave;
- The policy is extremely vague. The lack of any clear policy leads to inconsistent arrangements for faculty members; faculty members across campus are treated very differently depending on the unique arrangements made with the administrators to whom they report. Furthermore, the vague nature of the current Maternity Leave policy makes it difficult for Human Resources to administer.
- The current policy treats Maternity Leave as a type of sick leave. Therefore, the amount of maternity leave time a faculty member is given will vary depending on (1) which sick leave policy the faculty was hired under, and (2) the amount of sick leave remaining for a faculty member. Regardless of the amount of sick leave a faculty member has remaining, maternity leave will inevitably interrupt an academic semester and some other arrangements will have to be made for instruction of the course while the faculty member is on leave. Such interruptions are extremely disruptive to students and present great obstacles for the faculty member.

### 3. *Work Completed to Devise the Proposal*

- The committee met 8 times between February 2011 and November 28.
- In addition to using e-mail, the committee set up a Blackboard course and a google.docs group to efficiently share information.
- The committee researched (1) maternity and parental leave policies in other countries, (2) maternity and parental leave policies at other Virginia colleges/universities, (3) maternity and parental leave policies at other colleges/universities outside the Commonwealth, and (4) best practices in university maternity and parental leave policies.
- The committee tried unsuccessfully to determine the cost of implementing the change in policy. Although there clearly will be some cost in adjunct or overload pay to cover the classes of the faculty member who is on leave, Williams points out that “colleges need to recognize that it is often in their economic self-interest to retain existing faculty members, particularly in the sciences, where laboratory start-up costs can run into the hundreds of thousands of dollars” (“Are Your Parental- Leave Policies Legal?” *The Chronicle of Higher Education*, Feb. 7, 2005).
- The committee solicited feedback on the draft policy from the Deans, Department Chairs, SACS Reaffirmation Coordinator, and Internal Auditor.
- The committee presented a draft of the policy to Senate on February 9, 2012 and amended the policy based on senators’ feedback.

**SUMMARY OF NEW POLICY OR PROPOSED CHANGES OR DELETIONS TO AN EXISTING POLICY** (Provide a brief list or statement describing the content of the policy or the proposed changes or deletions):

- The committee is proposing deleting the entire current Maternity Leave policy from the FPPM and replacing it with the proposed policy.
- The proposed policy explicitly defines who is eligible. Adjunct faculty are not eligible. T/R faculty on 12 month contracts are not eligible, as their leave is governed by the Administrative Policies and Procedures Manual.
- Essentially the proposed policy allows for one semester of paid leave from teaching and other on-campus responsibilities for a faculty member giving birth. The proposed policy clearly defines when the leave may occur based on the expected date of delivery. The current policy allows for accrued sick leave—whatever variable amount a faculty member may have.
- The policy clearly defines the process for requesting leave, beginning with the department chair. The current policy does not.
- The leave must be requested 90 days prior to the date leave is to begin. The current policy requires 120 days notice.
- The policy clearly specifies that faculty members may stop the tenure clock, in accordance with already established FPPM policies. The current policy makes no mention of interaction with the tenure clock.

**RATIONALE FOR THE POLICY OR PROPOSED CHANGES** (Provide a brief statement as to why the new policy, the changes, or the deletion is needed):

- The proposed policy addresses the weaknesses in the current maternity leave policy, as described above in the *Nature of the Problem the Proposal Addresses*. Specifically, the proposed policy:
  - Clearly describes the role of the department chair, and other administrators, in the maternity leave process;
  - The policy explicitly describes who is eligible for maternity leave, the time frame for which a faculty member may be on leave, the process for requesting leave, the duties from which a faculty member is excused, and how maternity leave interacts with the tenure process.
- Departments across campus often struggle to hire and retain faculty due to the relatively low salaries offered coupled with a heavy course load. The proposed policy could aid in faculty hiring and retention.

- The proposed policy is designed to allow for a new mother to attend to the immediate demands precipitated by the birth of a child without interrupting the continuity of students' educational experience.
- The proposed policy is based on recommended "best practices", which suggests that childbirth (maternity leave) and childrearing (parental leave) policies be separated.
- The proposed policy follows the recommended "best practices" of offering an "active service/modified duties" model, in which a faculty member is released from teaching duties in a semester when a significant number of days (usually 10) will be missed by the professor. However, the faculty member is not released from other faculty duties, such as research. The proposed maternity leave policy was modeled after the policy that has been in place for several years at Hampden-Sydney College.

Date submitted to Senate Executive Committee for Consideration: \_\_\_\_\_

Action(s) Taken:

Date first read at Faculty Senate: \_\_\_\_\_

Action(s) Taken:

Date final action taken by Faculty Senate: \_\_\_\_\_

Final action(s) Taken:

# Maternity Leave Policy

## *Faculty Policies and Procedures Manual* *Section III: Academic Personnel Policies*

### **Y. MATERNITY LEAVE**

Sick leave allowances (see Section III.U) may be used for disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom, regardless of marital status. The employee who desires to continue working during pregnancy must furnish the Director of Human Resources with a statement from her physician certifying the estimated date of delivery and the date she and her physician feel that she must cease work because of medical disability caused or contributed to by her pregnancy. The statement should be furnished to the Director of Human Resources at least 120 days prior to the employee's cessation of work.

The time at which the employee and her physician expect that she will cease work may be amended as necessary. Following the receipt of such documentation, the Director of Human Resources and the VPAA or designee will meet with the employee to determine dates when employment will be interrupted and resumed based on the timing of the absence with respect to the University calendar and the requirements of the position. Any subsequent changes in the date furnished must be given to the Director of Human Resources and the VPAA.

Only the period of the employee's absence prior to and following delivery that is certified as medically disabling by the physician can be charged to sick leave accumulations. In the case of the employee who is disabled and elects to be absent before or after the period covered by sick leave, leave without pay may be requested. The University reserves the right to limit periods of leave without pay.

#### **1. Eligibility—**

The following full-time female faculty members shall be eligible for paid maternity leave as specified in this policy:

- i. Tenured faculty;
- ii. Tenure track faculty;
- iii. Lecturers, senior lecturers, clinical educators and senior clinical educators.

#### **2. Definition of Leave—**

Maternity leave is a type of paid sick leave and is intended to allow pregnant faculty members to attend to the immediate demands precipitated by the birth of a child without interrupting continuity of students' educational experience. In cases where the birth is expected prior to the thirteenth week of the fall semester, the faculty member will be excused from classroom duties for the fall semester. When the due date falls after the thirteenth week of the fall semester or prior to the thirteenth week of the spring semester, the faculty member normally will be expected to teach her usual fall course load for fall course assignments and be excused from classroom duties during the spring semester. When the due date falls after the thirteenth week of the spring semester, the faculty member will be expected to teach spring semester and return to teaching on the first day of classes in the fall semester. When the due date falls after July 15, the faculty member will be excused from classroom duties for the fall semester. If the due date is in the last two weeks of a 15-week semester, the faculty member, in consultation with the Department

Chair, Dean, and Registrar, may schedule some classes early in the term in anticipation of possibly missing classes late in the term. The Department Chair and Dean will work with the faculty member to insure that classes are covered and examinations are given in accordance with the schedule of the university.

Based on consultation between the faculty member, the Department Chair and the Dean, the faculty member will be expected to participate in select non-classroom duties that do not require the faculty member to be on campus, such as, directing independent studies, course preparation, pedagogical research, scholarship and other duties that faculty normally carry out beyond the classroom (when medically capable). Faculty members are expected to resume all duties in the semester they return.

A faculty member may not receive both maternity leave and parental leave. Maternity leave is intended for birthing mothers. Parental leave is designed for fathers, as well as women who become mothers by adopting or taking in foster children. In cases in which both parents work in the same department, both parents should coordinate maternity and parental leave time in consultation with the department chair in order to prevent overlapping leaves that would be detrimental to the workings of the department.

### **3. Process for Requesting Leave—**

With the exception of unusual and unexpected circumstances, faculty members must notify their Department Chair in writing (copying in the Department of Human Resources) of their request for maternity leave at least 90 days prior to the date the leave is to begin. The Department Chair will notify the Dean of the request and make any necessary adjustments to the class schedule for the following semester, making every effort to find faculty coverage for courses that were to be taught by the faculty member on leave rather than canceling the class. The Dean will work with the Vice President for Academic Affairs to ensure that Department Chairs will have adequate funding to pay for course coverage.

### **4. Interaction with Tenure—**

In accordance with the “Policy on Stopping the Tenure Clock,” the faculty member requesting maternity leave may stop the tenure clock at the onset of the approved leave.

### **5. Interaction with Family Medical Leave Act—**Faculty may take unpaid leave through the Family Medical Leave Act in addition to maternity leave.