

To: Full-Time Officers of Instruction

From: Jonathan R. Cole, Provost and Dean of Faculties

Re: Parental Policies of the University

Date: April 14, 1997

Over the past few years, the University has broadened the range of appointments and leaves available to full-time faculty who are responsible for raising small children. These changes have been designed to provide individuals with additional flexibility and time so that they may care for their families and still pursue their academic careers. The new options augment rather than replace previously existing policies and, therefore, create additional alternatives from which the faculty can choose. To help in making those choices, the following statement describes all of the University's parental appointment and leave policies for faculty, how those relate to one another and how, in the case of non-tenured faculty, they affect the up-or-out dates. I hope that you will find the statement useful. If you have any questions about the contents of the statement, please feel free to contact Pearl Spiro, Manager of Academic Appointments, at 854-3813.

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### **Parental Policies for Officers of Instruction**

Over the years, Columbia has adopted various policies to assist faculty with small children. Some were mandated by changes in law and apply to all University officers and support staff. Most, however, were developed in recognition of the special needs of faculty who must balance professional and parental obligations and reflect the belief that the University, as well as the individual, benefits from arrangements that help faculty pursue their academic careers while raising a family. These include child care leaves, a workload relief program, an extended part-time career appointment and, in the case of faculty who are subject to the limits on nontenured service, extensions of the maximum period of time they may hold appointments before they are reviewed for tenure.

This statement summarizes the various parental options available to faculty. Many include the eligibility requirement that faculty members must be primarily responsible for care of their children. For the purpose of these policies, a faculty member is the "primary parent" if she or he is a single parent or, where there are two parents, if the other is working, and not at home full-time. Faculty may employ a day-care provider or enroll their children in a day-care program and still qualify as the primary parent. When both parents work at the University, only one may be considered the primary parent at any given time.

### **Parental Appointment and Leave Options**

The University offers three options to parents of new children: medical leaves in the case of women with new-born infants, child care leaves and workload relief. In addition it permits some parents of children under the age of nine temporarily to assume a part-time career appointment. To apply for any of these options, a faculty member should submit a letter to his or her department chair or, where

appropriate, dean requesting the leave and indicating when he or she may be expected to return to full-time service. In the case of a medical leave, the request should be accompanied by documentation from a doctor which indicates the period during which the faculty member will be unable to work. After receiving the endorsement of the appropriate department chair and dean, the request will be forwarded to the Vice Provost for Academic Administration who authorizes leaves and parental appointments on behalf of the President. Requests for these options should be submitted in a timely manner so that authorization may be obtained before they are scheduled to begin.

Disabilities arising from childbirth and the need to care for new children are also covered by the provisions of the Family and Medical Leave Act (FMLA) which was signed into law in 1993. That act guarantees parents of new-born and newly adopted children up to twelve weeks of unpaid leave in each calendar year, provided that they have held an appointment for one year prior to the leave. Therefore, whenever a faculty member elects one of the parental options and it covers a period in which the individual is also entitled to an FMLA leave, the parental option will also be deemed to meet the University's obligations under that act.

The benefits of faculty on a parental option may be affected, depending upon the amount of salary they receive. During periods in which they are paid full salary (for example, a medical leave with salary or workload relief for one term), their benefits continue without interruption. Those who elect to teach a reduced course load and, therefore, receive partial salary during their leave do not need to make special arrangements to maintain their benefits, provided that the amount of the partial salary is sufficient to cover their premiums which will be deducted from their monthly paychecks in the normal manner. The University's contributions to their pension will, however, be reduced since those contributions are based upon a percentage of salary received.

When the parental option takes the form of an unpaid leave, pension contributions and payments into tax-deferred annuities cease. Officers may continue to participate in other fringe benefits plans by paying their appropriate share of the premiums. Those premiums may vary, depending upon the provisions of the individual benefit plans. They also will be affected when a portion of the leave is designated as meeting the FMLA requirements. Faculty should, therefore, refer to Working at Columbia or contact the Benefits Office for further information on their benefits and how to maintain them if any portion of their parental option is without salary.

### *Medical Leaves for Pregnancy and Childbirth*

A pregnant officer is entitled to a medical leave of absence for the period surrounding the birth of her child. The leave is typically eight to twelve weeks in duration, but it can be for any period that her doctor certifies that she is unable to work. As with other medical leaves, the University reserves the right to have the officer seen by a physician of its own choosing.

The University treats disabilities arising from pregnancy and childbirth like any other nonoccupational disability. The officer receives full salary and benefits under the University's salary continuation plan if the period of leave is six months or less. If the officer is disabled for a longer duration, she is placed on a medical leave of absence without salary after the six months of salary continuation ends, and the University's long-term disability carrier, CIGNA, starts to make payments equal to a portion of her salary.

### *Child Care Leaves*

The biological mother of a new-born infant may take a leave of absence without salary before and after the period of disability surrounding the birth of the child. She may also teach a reduced course load on a partial leave of absence, during which she is paid a portion of her base salary equal to the percentage of her normal responsibilities she is performing. To allow for coverage of courses, the combination of child care and maternity-related leaves normally corresponds to the terms of the school in which she teaches. The total period of leave, including the time on a medical leave, normally may not exceed one year, except in cases of extended disability arising, from pregnancy and childbirth. Fathers of new-born infants and newly adopting parents may also take full or partial leaves for up to one year to care for their new children.

### *Workload Relief Plan*

In Spring 1994, the University Senate adopted a resolution recommending that the deans and academic vice presidents institute a workload relief plan for members of their full-time faculty with responsibility for the care of children under the age of one. As of Spring 1997, all of the schools on the Morningside campus have adopted the Senate's recommendation; the schools in the Health Sciences have not instituted the workload relief plan for their faculty.

There are three eligibility requirements for workload relief beyond holding an appointment in a school that has adopted the plan. A faculty member must

- 1) be a full-time officer of instruction,
- 2) hold an appointment with one of the following titles:
  - o professor, associate professor or assistant professor, including those with the clinical or practice modifier but excluding those in a visiting rank,
  - o instructor; or
  - o senior lecturer or lecturer, including those with the modifier "in the discipline," provided that the faculty member has taught full-time at the University for at least two years, and
- 3) be primarily responsible for the care of a new-born child or a newly-adopted infant of one year or less.

Faculty who meet these eligibility requirements may apply for workload relief for up to one year for each of two children. They may take their workload relief for one term at full salary or one year at half salary. During the period selected, they are excused from teaching, and from serving on administrative committees. They are, however, expected to make themselves available for consultation with students and to continue with their research. Eligible faculty may also elect a year of workload relief at full salary by agreeing in each term to teach half of their normal course load and making themselves available for half of the administrative assignments they normally perform.

The workload relief plan was designed to replace the combination of medical and/or child care leaves for individuals who meet its eligibility requirements. However, eligible faculty may still elect to take those leaves rather than ask for workload relief if they wish, for example, to provide no service while taking care of their new children or teach more than half of their normal course load.

### **Part-Time Career Appointment for Parents**

To assist individuals who must prepare for a tenure review while raising young children, the University allows certain full-time faculty to hold a part-time career appointment. To be eligible for the appointment, faculty must be primarily responsible for the care of a child under the age of nine and plan to spend a substantial portion of time in that capacity. The part-time career appointment extends the period faculty may serve in a non-tenured capacity, as described below, and thereby provides additional time before they are reviewed for tenure. Because of this purpose, tenured faculty and faculty who are exempted from the time limits on non-tenured service are not eligible for this appointment.

While they are on a part-time career appointment, faculty perform half of their normal responsibilities and are paid half of their normal salary but remain eligible to participate in the University's fringe benefits programs. With the prior permission of the Vice Provost for Academic Administration, they may be paid additional compensation in certain, limited circumstances, provided that the amount received does not exceed half of the total they would be permitted to earn under University policies if they were full-time. They may not, however, work for compensation outside of the University.

Faculty may hold such part-time career appointments as long as they meet the eligibility requirements and keep their dean or chair informed on a yearly basis of their intention to continue to serve in that capacity. Alternatively, they may return to full-time service upon providing adequate notice to their dean or department chair.

### **Parental Responsibilities and the Tenure Clock**

The Statutes of the University provide that faculty who are subject to the limits on nontenured service may not serve in a full-time, non-tenured capacity for more than eight continuous years of counted appointment and that the tenure clock ordinarily may not be stopped for more than one year of appointment. Sections §71c and §71f of the University Statutes permit the President to make certain exceptions to these policies for faculty with responsibility for the care of children. The President has delegated that responsibility to the Provost. The amount of time that may be excluded in calculating the limits on non-tenured service for parents of small children, and the circumstances under which the exclusion may be made, depend upon three factors:

- the age and number of the children;
- whether the faculty member is the primary parent; and
- the type and duration of parental appointment or leave that the faculty member chooses to take.

Non-tenured faculty may have the tenure clock stopped if they are primarily responsible for the care of children who are less than a year old, irrespective of whether they take a leave of absence or switch to a part-time career appointment for that purpose. Eligible faculty may have up to one year of appointment excluded in this manner for each of two children. To take advantage of these provisions faculty must write to their department chairs or, where appropriate, deans to request the exclusion and affirm that they meet the eligibility requirements for it. The letter should state that the faculty member will be the primary caregiver and should include the date of the child's birth or adoption. The dean or chair will forward the request to the Office of the Vice Provost for Academic Administration which will change the faculty member's up-or-out date.

Faculty who do not have primary responsibility for a child of one year or less may still be eligible to have time excluded from the tenure clock if they take a medical or child care leave absence, as described above under "Parental Appointment and Leave Options." If the faculty member takes a full leave of absence that lasts for one academic term or more, the period of the leave is excluded in determining the maximum permissible period of non-tenured service. Full leaves that are longer than half a term but less than full term may affect the limits on non-tenured service, depending upon the faculty member's appointment history. This is also true for a partial leave, provided that it lasts for at least one term and the faculty member performs no more than 50 percent of his or her normal responsibilities. The Office of the Provost will automatically exclude any period of appointment that qualifies under the University's policies and notify the faculty member of any adjustments. Given the complexities involved in calculating the limits on non-tenured service, faculty with questions about specific leaves for parental purposes should contact the Manager of Academic Appointments at extension 43813.

Faculty on a part-time career appointment are primarily responsible for the care of their children. Therefore, one full year of appointment is excluded from the tenure count, under the policies described above, when the child is under one year of age. If a child is between one and nine, each year of a part-time career appointment is treated as a half-year in determining the limits on non-tenured service.



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