

II—2.25 Policy on Parental Leave and other Family Supports for Faculty (Approved by the Board of Regents, June 22, 2012)

I. Purpose

This policy is intended to support faculty in balancing professional and family demands during and after the birth or adoption of a child through a combination of measures to promote a “family-friendly” environment on each USM campus. These measures include:

- a. A minimum assured period of paid parental leave of eight (8) weeks;
- b. The adoption of Family Support Plans at each institution;
- c. Minimum requirements to extend the time for tenure review for new parents; and
- d. The availability of lactation facilities on each campus.

II. Assured Minimum Parental Leave

Each eligible faculty member shall be assured a period of up to eight (8) weeks (i.e., forty (40) work days) of paid parental leave to care for a new child, as follows:

- A. **Nature of Leave:** The parental leave period will consist of any form of annual, sick or personal leave that the faculty member has accrued, to be supplemented by the institution with additional paid leave days to attain an eight (8) week period of paid parental leave.
- B. **Applicability:** The eight (8) week paid leave assurance will be available during a six (6) month period surrounding:
 1. The birth of a newborn;
 2. The recent adoption of a child under the age of six (6); and
 3. At the discretion of the institution’s chief academic officer and subject to any limitations established by the institution, the assumption of other parenting responsibilities, such as foster parenting or legal guardianship of a child under the age of six (6).
- C. **Eligibility:** At a minimum, the paid leave assurance will apply to tenured and tenure-track faculty, and non-tenure-track faculty with multi-year contracts, upon written affirmation that the faculty member will be the child’s primary caregiver during the parental leave period.
 1. Institutions may offer assured minimum paid leave to other categories of faculty as a matter of institution policy.
 2. Leave shall be pro-rated for eligible part-time faculty.
 3. If a child’s parents are employed by the same institution, both may be eligible for paid parental leave up to the eight (8) week maximum as follows:
 - a. Both parents may use accrued annual, sick or personal leave concurrently with the birth of a child or adoption of the child under age six (6);
 - b. A parent may use additional guaranteed paid leave under this policy only during a period when that parent is the child’s primary caregiver.

4. A faculty member shall be eligible for assured minimum paid parental leave after one (1) year of employment with the institution, except to the extent that institution policies permit and the terms of the faculty member's appointment establish a lesser eligibility period.
5. A faculty member may be eligible for paid parental leave under this policy on one occasion in a given 12-month period, and on two occasions during the duration of the faculty member's employment within the USM. Any additional periods of paid parental leave require the approval of the President, or the President's designee.

III. Faculty Family Support Plans

Each institution shall assure that each eligible faculty member has the opportunity to establish a "Family Support Plan." These plans are intended to provide support for new parents while assuring that continuity in student instruction and other critical faculty duties are not disrupted during periods of faculty parental leave.

- A. **Plan Development:** The plan will be developed jointly by the faculty member and department chair, or the designee of the chair or the dean, upon request of the faculty member.
 1. If the faculty member and department chair are unable to finalize the plan, or if an agreed-upon plan requires additional resources, the appropriate dean or other academic affairs administrator will participate in completing the plan.
 2. Each completed plan will be shared with the appropriate dean or other academic affairs administrator.

- B. **Plan Content:** The plan will allow the faculty member to reduce or otherwise modify workload, especially teaching duties, during the semester in which parental leave is taken, though a combination of:
 1. Leave, including:
 - a. Exhaustion of all accrued annual, personal, holiday and sick leave;
 - b. Additional paid parental leave, as needed, up to the eight (8) week total
 - c. Collegial sick leave, as available;
 - d. Unpaid leave, up to the twelve (12) week (i.e., sixty (60) work day) limit of the USM Family Medical Leave Act Policy, No. II—2.31; and
 2. Workload modifications, to the extent authorized by the institution and feasible within the faculty member's department, which may include:
 - a. Part-time employment;
 - b. The spreading of the semester's teaching responsibilities over multiple terms preceding and succeeding the parental leave period;
 - c. Redistribution of duties to substitute a teaching assignment with other departmental or academic service; and/or
 - d. Other options identified by the institution or department.

- C. **Eligibility:** Each tenured or tenure-track faculty member whose responsibilities are primarily instructional is eligible for a family support plan, subject to the eligibility standards of Section II.C.1 through 5 of this policy. Institutions may offer the opportunity to develop a family support plan to other categories of faculty as a matter of institution policy.

IV. **Extension of Time for Tenure Review**

- A. **Minimum Requirements:** Each USM institution shall establish policies and procedures to permit faculty members who become new parents with the birth or adoption of a child to extend the time for tenure review. At a minimum, institution policies shall provide for:
 - 1. A one (1) year extension of the time for tenure review upon the birth or adoption of a child; and
 - 2. The ability to obtain such an extension twice during employment with a USM institution.
- B. **Institution Procedures:** Institution procedures may include requirements related to the timing and content of applications for the extension, documentation of eligibility and other aspects of the process for requesting and administering extensions of the time for tenure review.
- C. **Additional Institution Provisions:** An institution's policies to extend the time for tenure review may be broader in scope than the minimum eligibility and duration requirements specified in this policy.

V. **Supports for Nursing Mothers**

Each institution shall provide space at reasonable locations on campus where employees who are nursing mothers may breastfeed or express milk.

- A. The area must be shielded from view and free of intrusions from others.
- B. A bathroom or restroom may not be designated as a lactation facility.
- C. The space may be a private area in a larger room, or a private room that is reliably made available for nursing mothers whenever needed but may otherwise be used for different functions.
- D. The area shall be equipped with seating, a table or other flat surface, an electrical outlet and nearby access to a sink.
- E. The requirement for lactation facilities on each campus and their availability for the purpose of breastfeeding a child are subject to institution policies that govern the circumstances under which the children of employees may be present on campus.

VI. Protections for Faculty

No faculty member shall be discriminated against or otherwise experience reprisals in any appointment, evaluation, promotion, tenure or other employment-related process as a result of utilizing the parental leave and other supports provided in this policy.

VII. Implementation

This policy shall be implemented as follows:

- A. **Parental Leave and Family Support Plans:** Eligible faculty members shall have access to parental leave and family support plans under this policy as of the beginning of the Fall 2012 semester.
- B. **Other Provisions:** Institutions shall complete implementation of all other requirements of this policy no later than December 31, 2012.