PARENTAL LEAVE

Availability of Parental Leave

Any full-time, non-tenure-track faculty member at the rank of Senior Lecturer or above currently serving a multi-year contract of three or more years’ duration and who has been successfully reappointed to at least a second, multi-year contract, is eligible for parental leave. When such a faculty member, or that faculty member’s spouse or declared domestic partner, becomes the parent of a child, either by childbirth or by adoption of a pre-school aged child, the faculty member shall, upon written request to his or her Department Chair/Program Director or Dean, be entitled to a parental leave of one semester at full pay for purposes of serving as the child’s primary caregiver. If a faculty member and his or her spouse or domestic partner would otherwise both be eligible for parental leave under this policy, either one, but not both, may take this parental leave.

Notification

In order to minimize the administrative burden of ensuring adequate coverage of responsibilities, an eligible faculty member must give her or his Department Chair/Program Director or Dean at least four (4) months' written notice of her or his intention to take parental leave, the anticipated date of departure and the expected date of return to full-time work. Medical emergencies or the uncertainties of adoption that prevent the giving of three months' notice will not disqualify an eligible faculty member from obtaining parental leave.

Agreement

Any agreement for a parental leave under this policy shall be in writing. The agreement shall include each of the following:

1. certification by the faculty member that the purpose of the leave will be to serve as the primary caregiver for that child during the period of leave or for faculty on nine-month appointments to recapture time spent as the primary caregiver during the preceding summer;
2. certification that the leave period will not be used to actively pursue other employment opportunities or to work full- or part time for another employer;
3. the anticipated start and end of the leave period;
4. the relationship between the parental leave provided under the policy and the Family and Medical Leave Act (FMLA) and, where relevant, the Tennessee Maternity Leave Act (TMLA);
5. a commitment to return to active status for at least an equivalent period immediately following the paid parental leave.
Salary, Benefits, and Responsibilities During Leave

A faculty member who takes parental leave under this policy shall receive the same salary and benefits that he or she would have received that semester if not on leave, and shall be relieved of his or her normal duties and responsibilities during the period of leave as follows:

A. Teaching.
   The faculty member shall be relieved of the obligation to teach during the semester in which the leave is taken. If the semester during which leave is taken is one in which the faculty member would otherwise have taught more than half of his or her normal annual teaching load, the faculty member may be required to teach one additional course in another semester to be agreed upon by the faculty member and his or her Department Chair/Program Director or Dean.

B. Service.
   The faculty member shall be relieved of all faculty service responsibilities, including committee work and student advising, for one semester.

When Taken

At the option of the faculty member, the parental leave provided by this policy may be taken during the semester in which the child is born or placed for adoption, or during any subsequent semester that begins no later than six months after the birth or adoption placement. For purposes of this policy, each semester shall run from the first day of classes to the last day of examinations. Unless waived in writing by the Provost or the Vice-Chancellor for Health Affairs, a faculty member who takes a parental leave is obligated to return to active status for at least an equivalent period immediately following such leave in order to retain the benefits of the leave including salary paid.

Family and Medical Leave Act and Tennessee Maternity Leave Act

The benefits afforded faculty under this policy are intended to be consistent and not in conflict with rights afforded under the FMLA and the TMLA (Tenn. Code Ann. § 4-21-408). Any leave taken under this policy, to the extent that it also qualifies for FMLA or TMLA leave, is intended to count as FMLA or TMLA leave, and the written agreement should clearly state that intention.

Additional Leave

This policy is intended to describe the minimum level of benefits available for faculty members to whom it applies. This policy is not intended to constrain the faculty member and Department Chair/Program Director or Dean from developing other arrangements that meet the spirit of this policy and its minimum level of benefits and that fulfill the needs of all involved in some other manner. The Dean of a School or College may establish policies extending these benefits to other categories of faculty. Any parental leave taken under this policy shall be in addition to any leave granted because of medical incapacitation.
Limitations

The parental leave benefit may be used no more than three times by a faculty member.

These parental leave benefits may be used no more than once each per child:

Multiple Births/Adoptions.

For purposes of this policy, parental leave in the case of multiple birth (twins, triplets, etc.) or simultaneous adoption of multiple children shall count as one leave event, resulting automatically in the availability of one semester of paid leave. Thus, the birth of triplets would not use up the faculty member’s eligibility for parental leave for future births or adoptions nor would it necessarily entitle the faculty member to three consecutive semesters of paid leave. In such unusual circumstances, the faculty member and his or her Chair/Program Director or Dean are encouraged to devise an arrangement suitable to the unique needs of such a situation and consistent with the spirit of this policy.

Benefit Beyond Three Children.

If after obtaining this benefit three times, a faculty member gives birth to an additional child(ren), that faculty member shall be entitled to leave for short-term illness (paid). The medical condition of the faculty member, as evidenced by the written statement of her physician, will establish the length of leave for short-term illness. Normally, unless unusual medical complications exist, the leave for short-term illness does not exceed six weeks. Additional personal leave (unpaid) may be requested. The duration of personal leave must be negotiated between the faculty member and her Dean and must be consistent with the FMLA and the TMLA.