I. Purpose

This policy is intended to support faculty in balancing professional and family demands before and after the addition of children to the family (by birth, adoption, foster parenting, and/or legal guardianship) through a combination of measures to promote a family-friendly environment. These measures include:

A. A minimum assured period of paid Parental Leave of twelve (12) work weeks;

B. Eligibility for a Modified Duty Family Support Plan;

C. Extension of Time for Tenure Review for new parents; and

D. Availability of lactation facilities.

The term “Parental Leave” is used in this policy to refer to the entirety of the paid leave period available to eligible faculty to care for children new to the family. Up to twelve (12) work weeks of Parental Leave is available through a combination of paid leave charged to a faculty member’s accrued leave balance and/or Assured Parental Leave provided by the University. Parental Leave is just one component of the family support measures provided under this policy.

Parental Leave and all other family support measures under this policy shall be available on a continuous basis during a six (6) month period surrounding the addition of a child (or children) to the family.

II. Assured Minimum Parental Leave

Each eligible faculty member shall be assured a period of up to twelve (12) work weeks (i.e., sixty (60) continuous work days) of paid Parental Leave to care for a new child (or children) under the age of eighteen (18), as follows:

A. Nature of Leave: During the Parental Leave period, faculty shall use any accrued and available annual and personal leave; observed holiday leave; and discretionary administrative leave that is granted during the Parental Leave period for institutional closures. If none of these categories of leave is available to the faculty member, supplemental paid leave days (referred to as “Assured Parental Leave”) shall be provided by the institution to attain the twelve (12) work weeks of paid Parental Leave. Faculty are not required to use accrued sick leave as part of their paid Parental Leave period, but may elect to do so in combination with other forms of paid leave (i.e., annual, personal,
holiday, administrative, or Assured Parental Leave) to which the faculty member is entitled. No institutional work-related duties are required of the faculty member by the University while on Parental Leave.

B. Interaction of Leave with the Family and Medical Leave Act (FMLA): All leave taken during the Parental Leave period (annual, personal, sick, holiday, administrative, and/or Assured Parental Leave) shall run concurrently with any available FMLA leave (“FML”) per USM Policy on Family and Medical Leave for Faculty (II-2.31), if the faculty member is also eligible for FML under II-2.31. Both policies shall be administered concurrently.

C. Applicability: The twelve (12) work weeks of paid Parental Leave is available on a continuous basis during a six (6) month period surrounding either:

1. The birth of a child;
2. The recent placement of a child for adoption; or
3. The assumption of other parenting responsibilities, such as foster parenting or legal guardianship of a child.

D. Eligibility: Parental Leave applies to all full-time and part-time tenured and tenure-track faculty, professional track faculty, and all librarian faculty, with appointments of 50% FTE or greater.

1. Parental Leave shall be pro-rated for eligible part-time faculty.
2. If a child’s parents are both faculty employed by UMD, each may be eligible for paid Parental Leave up to the twelve (12) work week maximum, as follows:
   a. Both parents may concurrently use accrued sick, annual, personal, or holiday leave to take Parental Leave at the same time; and
   b. If both parents are eligible for Assured Parental Leave, only one parent may use Assured Parental Leave at a time. The employee using Assured Parental Leave must be acting as the child’s primary caregiver at the time. Both parents may take Parental Leave simultaneously by alternating between the use of Assured Parental Leave and their own accrued leave, as long as both parents are not using Assured Parental Leave on the same day.
3. To be eligible for Parental Leave, a 9-month faculty member must have been employed by the institution for at least one semester, and a 12-month faculty member must have been employed by the institution for at least six (6) months.
4. A faculty member shall be eligible for Parental Leave under this policy on one (1) occasion in a given 12-month period, and up to three (3) separate occasions during the duration of the faculty member’s employment with the University System of
Maryland. Any additional periods of Parental Leave require the approval of the
President, or the President’s designee.

5. Parental Leave for faculty must be used continuously; it is not available on an
intermittent basis.

III. Modified Duty Family Support Plan

Each eligible faculty member may request a period of time during which their institutional work
duties are reduced or modified without a reduction of salary known as a Modified Duty Family
Support Plan. The Modified Duty Family Support Plan is intended to provide support for a new
parent while assuring that continuity in student instruction and other critical faculty duties are not
interrupted. Note: Modified duties are neither required nor expected during the period of up to
twelve (12) work weeks of Parental Leave.

A. Modified Duty Family Support Plan Development: A written memorandum of
understanding documenting the Modified Duty Family Support Plan will be developed
jointly by the faculty member and department chair or designee. In non-departmentalized
Colleges, the plan will be developed jointly by the faculty member and the dean or
designee.

1. If the faculty member and department chair are unable to finalize the Modified Duty
Family Support Plan, or if a plan would require a request for additional resources, the
dean will participate in completing the plan. In non-departmentalized Colleges, the
Associate Provost for Faculty Affairs will participate in such cases.

2. Each completed Modified Duty Family Support Plan will be shared with the dean or
the Associate Provost for Faculty Affairs.

B. Plan Content: The Modified Duty Family Support Plan will allow the faculty member to
reduce or otherwise modify workload during the period of eligibility through a
combination of:

1. Leave, including:
   a. Available accrued annual, personal, and holiday leave;
   b. Additional Assured Parental Leave, as needed up to the twelve (12) work week
      total;
   c. Collegial sick leave, as available;
   d. Unpaid leave, up to the twelve (12) work week (i.e., sixty (60) work day) limit
      under the UM Procedures Related to Family and Medical Leave for Faculty (II-
      2.31[A]); 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. Redistribution of duties to substitute a teaching assignment with other
departmental or academic service; and/or

c. Other options identified by the institution or department.

C. Eligibility: All faculty who meet the eligibility standards of Section II.D.1-5 are eligible
for the benefits of a Modified Duty Family Support Plan, subject to terms and conditions
stated below:

1. Faculty with Instructional Responsibilities are entitled to a release from classroom
teaching duties and service responsibilities for one semester in the period in which
Parental Leave is taken. For example, faculty taking Parental Leave for the initial
twelve (12) weeks of an academic semester shall be eligible for a Modified Duty
Family Support Plan during the remaining weeks of the semester, i.e., no classroom
teaching responsibilities.

   a. During the period of the Modified Duty Family Support Plan, faculty members
   with instructional responsibilities are expected to continue to perform other non-
classroom instructional duties for which they are ordinarily responsible, such as
   advising graduate students, as well as to sustain their research/creative activities
   as applicable.

2. Faculty without Instructional Responsibilities are entitled to a Modified Duty Family
Support Plan for a period of up to six (6) weeks in addition to the twelve (12) weeks
of paid Parental Leave, subject to any limits established by contract or grant by the
funding agency responsible for a research faculty member’s salary support. The
exact nature and schedule of the Modified Duty Family Support Plan shall be defined
and approved by the chair or unit head as set forth in Section III.A.

3. Faculty utilizing a Modified Duty Family Support Plan pursuant to this policy shall
not be required to offset the reduced workload during the period of modified duty by
making up the workload in another semester.

C. Plan Timeline: The period of the Modified Duty Family Support Plan will normally
extend from six (6) months prior to six (6) months following the birth or placement of a
child for adoption, foster care, or legal guardianship.

   1. The combined period of paid Parental Leave and the Modified Duty Family Support
   Plan must be concluded within six (6) months of the birth or placement of the child
   for adoption, foster care, or legal guardianship.

   2. If both parents are faculty and are eligible for Modified Duty Family Support Plans,
   they are typically taken on a sequential basis by both faculty parents. A Modified
   Duty Family Support Plan may be available to both faculty parents on a simultaneous
   basis when the health or personal situation of one or more family members requires it,
provided the faculty members adhere to the eligibility requirements noted above regarding primary caregiver.

3. Both faculty parents are expected to coordinate leave arrangements so that the combined period of Paid Parental Leave and the Modified Duty Family Support Plan are not exceeded.

4. To minimize hardship of the department/unit, faculty are expected to notify their chair or unit head, and, if applicable, the dean, at least two (2) months in advance of the date of expected use. Notice should include the projected date of the child’s birth or the expected date of the child’s placement through adoption, foster care, or legal guardianship, as feasible.

IV. Extension of Time for Tenure/Permanent Status Review

Faculty are entitled to an extension of time before mandatory tenure review or review for permanent status in accordance with University of Maryland Policy on Extension of Time for Tenure Review Due to Personal and Professional Circumstances (II-1.00[D]) (“UM Tenure Extension Policy”). Among other provisions, the UM Tenure Extension Policy provides that any tenure-track faculty member or faculty member eligible for permanent status who becomes the parent of a child by birth, adoption, foster care, or assuming legal guardianship will automatically be granted a one-year extension of the deadline for review by the Provost, upon mandatory written notification by the faculty member’s department. A second automatic extension for the addition of another child through birth, adoption, foster care, or assuming legal guardianship will be granted as long as the total number of extensions does not exceed two.

V. Supports for Nursing Mothers

The University shall provide space at reasonable locations on campus where faculty who are nursing mothers may breastfeed or express milk.

A. The areas must be shielded from view and free from intrusion by 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 and their availability for the purpose of breastfeeding a child are subject to University policies governing the circumstances when children of employees may be present in the workplace.
VI. Protections for Faculty

A. 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 by this policy.

B. Faculty may grieve Modified Duty Family Support Plan decisions for both procedural and substantive reasons. The faculty member may seek the assistance of the Faculty Ombuds Officer in mediating the concern, and seek a review in accordance with the procedures of the University of Maryland Policies and Procedures Governing Faculty Grievances (II-4.00[A]).