

1 **III. D. LEAVES OF ABSENCE.**

2
3 **1. General Leave Policies.**

4
5 **a. Eligibility for Leave.** Only members of the faculty holding full-time
6 continuing appointments are eligible for the academic and non-academic
7 leaves described below. In the event of ambiguity, the Provost, on
8 authority delegated by the Bylaws of the Board of Visitors, shall
9 determine whether a specific request for a benefit described in this
10 document falls within these policies.

11
12 **b. Benefits.** It is the College's general policy to continue medical
13 insurance, life insurance, and retirement plan payments for faculty in full-
14 time continuing appointments receiving at least 50% of their contract
15 salary.

Comment [wjh1]: Assembly had a question about this adjective—do we need it?

16
17 **c. Procedures.** When faculty members on 12-month contracts take
18 disability/sick leave for more than ten days (cumulative) or when they take
19 annual leave, they must report their leave to the Office of Human
20 Resources (available under “Employee” on Banner, <https://my.wm.edu>).
21 Tenured and tenure-eligible faculty members on nine-month contracts
22 must comply with the guidelines described under each applicable leave
23 below. For purposes of this policy statement, one semester is defined as
24 the period from the beginning of the orientation period through the end of
25 the examination period. An eligible faculty member may request and the
26 appropriate administrative officer may recommend that the Provost grant
27 unpaid leave to augment any of the leaves described below; however,
28 additional academic leave taken under these circumstances will be at
29 reduced pay or at no pay if not covered by external sources.

30
31 **d. Instructional Program and Faculty Responsibilities.** When an
32 instructional faculty member takes leave of any kind, the College will
33 strive to minimize the effect on the instructional program. The program
34 director, department chair, and/or dean, in consultation with the Provost
35 and the affected faculty member, will develop a plan for dealing with the
36 faculty member’s absence from the classroom, which may include
37 provisions for substitute instruction for all of an academic term, even
38 though a faculty member has returned to work before the semester’s end
39 or does not begin leave until after the semester has started. Whenever
40 possible, replacements should be full-time. However, when substitute
41 instruction has been secured for the term or balance of the term (thereby
42 relieving the faculty member of teaching responsibilities), the faculty
43 member, when he or she returns to work or until he or she begins leave,
44 shall be expected to fulfill all non-teaching responsibilities, and may be
45 assigned to other appropriate duties.

Comment [wjh2]: Reinstated from former III.B.7.c.(3) per Assembly’s request—since the issue of the full-time replacement seemed to be Assembly’s concern, I haven’t put back in the stuff about the timing of the requests, since it seems implicit in the first two sentences of this section

2. Academic Leaves.

The College encourages academic leaves because such leaves offer opportunities for faculty to develop professionally and to acquire new ideas to share with the university community. For a leave to be considered academic, its primary purpose must be to enhance the scholarly and/or teaching skills of the faculty member. If there is uncertainty about the primary purpose of a proposed leave, the Provost may request an opinion from the appropriate Dean or from the Faculty Research Committee.

a. Scheduled Semester Research Leave. The College offers regularly Scheduled Semester Research Leave to full-time continuing faculty members who are “research-active” according to the definitions adopted by the faculty member’s program, department, and/or School. In the normal course of events, research-active faculty members will receive a Scheduled Semester Research Leave every seventh year of continuous employment. Faculty who receive and accept a Scheduled Semester Research Leave shall, after the completion of the leave, submit a Leave Activity Report; failure to do so may render the faculty member ineligible for a subsequent Scheduled Semester Research Leave. See Appendix K, “Scheduled Semester Research Leave Policy”, hyperlink.

b. Other Academic Leave. An academic leave may involve such things as teaching at another institution; employment in a government or comparable agency; research supported by a grant, by another institution or by the faculty member; and/or travel; it may be with pay, at reduced pay, or without pay. With the exception of leaves taken as part of the College’s Scheduled Semester Research Leave program, all academic leaves require the approval of the Provost and of the Board of Visitors. Academic leaves must be at least one semester in duration. It is the College’s general policy to continue medical insurance, life insurance, and retirement plan payments for those receiving at least 50% of their contract year salary from the College. See Appendix A, “Academic Leave Without Pay or At Reduced Pay,” hyperlink.

c. Educational Leave. Educational leave may be granted for specific courses of study related to the academic work of the faculty member. A program requiring more than twelve months in the aggregate of resident study may not be initiated without prior justification to and approval by the appropriate Dean(s), the Provost, and the Board of Visitors. If the College budget permits, a faculty member may receive a portion of salary as well as registration, laboratory, and tuition fees for work towards a degree if that degree is essential to maintain the standards of the College. Applications for such support must be made to the appropriate administrative officer and approved by the Provost.

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Deleted: The general criterion for a leave to be considered academic is that its primary purpose is to extend the scholarly and teaching skills of the faculty member. If there is uncertainty about the primary purpose of a proposed leave, the Provost will request an opinion from the Committee on Faculty Research. **Leave Without Pay –**

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Comment [wjh3]: Per FAFAC’s request

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2 **d. Restrictions.** Full-time continuing instructional faculty may take no
3 more than two consecutive years of academic leave. Any faculty member
4 who receives any College funding for academic leave must return full-
5 time to the College for at least one academic year immediately following
6 the leave.

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8 **3. Non-Academic Leaves.**

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10 Faculty members eligible for non-academic leaves are those holding full-time
11 continuing academic appointments in a department or school of the College,
12 regardless of the source of funds, unless the funding source or a contractual
13 obligation of the College precludes the approval of such a leave. Persons holding
14 one-year specified-term appointments are normally not eligible.¹

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16 **a. Paid Disability Leave**

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18 Eligible faculty members initially shall have available to them up to 120
19 calendar days of paid disability leave for medical inability to work due to
20 illness, injury, or pregnancy. Faculty members who use all or any portion
21 of the initial 120 days of paid disability leave during any contract year²
22 shall be credited with up to 30 additional days of paid disability leave
23 effective the beginning of each succeeding contract year (however, the
24 total number of days available may never exceed 120, and faculty
25 members may not use more than 120 days of paid disability leave during
26 any contract year). No severance payments will be made for unused paid
27 disability leave.

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Comment [wjh4]: Clarification per FAFAC's request

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¶ . . . For purposes of this section (b), the term "contract year" means, for faculty with nine-month contracts, the period from August 16 through May 15 of the succeeding year, and for faculty with twelve-month contracts, the period from July 1 through June 30 of the succeeding year.¶

28
29 Although the need for extended disability leave is often unanticipated,
30 faculty members shall nevertheless notify the Office of Provost, through
31 the appropriate Dean(s), of the need for paid disability leave, including
32 paid dependent care leave as provided below, as soon as reasonably
33 practicable. Excepting infant care or newly-adopted child³ care as defined
34 in i.(A) below, if the medical inability to work extends or is expected to
35 extend beyond three weeks, a physician's statement verifying inability to
36 work, including the date when return to work is expected, must be
37 presented to the appropriate Dean(s) and to the Provost.

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(b) Notification of Disability Leave.

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1 Unless their contract so stipulates.

2 The term "contract year" means, for faculty with nine-month contracts, the period from August 16 through May 15 of the succeeding year, and for faculty with twelve-month contracts, the period from July 1 through June 30 of the succeeding year.

3 "Newly-adopted child" may include a child who has been brought into the faculty member's home and whom the faculty member intends to make a permanent member of the family through adoption. The first year of adoption begins at the time the child is brought into the home, not at the time the adoption is finalized..

1 | **b. Paid Family/Medical Leave.** The following kinds of dependent care
2 | leave may qualify for paid leave subject to the time limitations provided in
3 | III.D.3.c.i. below:

- 4 | * care for an ill or injured family member ("family care");
- 5 | * care for the faculty member's child, including a step-child,
6 | under the age of one without regard to illness or injury
7 | ("infant care");
- 8 | * care for a faculty member's newly adopted child under the
9 | age of seven during the first year of adoption without
10 | regard to illness or injury ("newly-adopted child care").

11 | Paid leave for family care, infant care or newly-adopted child care
12 | leave is available only when the faculty member is the person who
13 | primarily provides for the physical care of the family member,
14 | infant or newly-adopted child. If practicable, paid leave for infant
15 | care or newly-adopted child care should be taken wholly within
16 | one semester. Disability leave associated with pregnancy and
17 | dependent care leave may be combined, provided that the total
18 | paid leave does not exceed 120 days (per III.D.3.a.above); except
19 | under exceptional circumstances and subject to approval by the
20 | Provost, instructional faculty leave must be taken during a single
21 | semester for a single pregnancy/birth.

22 | **c. Unpaid Disability or Family/Medical Leave and Reduced**
23 | **Responsibility Contracts.**

24 | **i. Unpaid Disability or Family/Medical Leave. Instructional**
25 | **faculty are entitled to up to one semester of unpaid leave each**
26 | **contract year for disability, family care, infant care, newly-**
27 | **adopted child care or parental leave (see the stipulations for**
28 | **"parental care" below). Any faculty member who has exhausted**
29 | **his or her entitlement to paid disability leave during any contract**
30 | **year and who needs to begin unpaid disability leave shall contact**
31 | **the Provost as soon as reasonably practicable. Requests for unpaid**
32 | **disability/dependent care leave beyond the 120 day entitlement**
33 | **require the approval of the Provost. Full-time continuing**
34 | **instructional faculty who fall below 50% of their contract salary**
35 | **may lose benefits (see III.D.1.b.above).**

36 | **(A) Parental Care Leave.** A faculty member is entitled to
37 | up to 120 calendar days or, in the case of instructional
38 | faculty, up to one full semester, of unpaid leave during a
39 | contract year to care for a dependent child, including step-

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The term "family member" includes a
faculty member's children or step-
children of any age, parents or step-
parents, and spouses.

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becomes disabled, who needs to take
family care, infant care, or newly-adopted
child care leave, and who has exhausted
his or her entitlement to paid disability
leave during any contract year, may
negotiate further unpaid leave with the
approval of the Provost. However, in all
cases, a faculty member is entitled to
twelve weeks of unpaid leave each
contract year to care for an ill or injured
family member or for infant care or
newly-adopted child care.

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When an instructional faculty member
takes leave of any kind, paid or unpaid,
the College will strive to minimize the
effect the faculty member's absence will
have on the instructional program. The
dean or department chair, in consultation
with the Provost and the affected faculty
member, will develop a plan for dealing
with the faculty member's absence from
the classroom, which may include
provisions for substitute instruction for all
or a portion of an academic term even
though a faculty member has returned to
work or has yet to assume leave status.
However, if substitute instruction has
been secured for the term or balance of
the term, thereby relieving the faculty
member of teaching responsibilities for
that term, when a faculty member returns
to work or has to assume leave status, he
or she will be expected to fulfill all non-
teaching responsibilities and may be
assigned to other appropriate duties.¶

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1 children, under the age of seven. Unpaid parental care
2 leave is available only if the faculty member certifies that
3 he or she is the person who primarily provides for the
4 physical needs of the child. As a matter of entitlement,
5 parental care leave can be taken only once per child.
6 Instructional faculty must take unpaid parental care leave
7 for an entire semester; no partial-semester parental care
8 leave will be granted. An instructional faculty member
9 wishing to take unpaid parental care leave must notify the
10 Provost of his or her intent to take such leave no later than
11 February 15 of the contract year prior to which such leave
12 will be taken. Administrative and professional faculty must
13 notify the Office of the Provost at least three months in
14 advance of such leave.

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16 **ii. Reduced Responsibility Contracts.** A faculty member who
17 becomes partially disabled, who wishes to care part-time for an ill
18 or injured family member, who wishes to take part-time infant or
19 newly-adopted child care leave, or who wishes to provide part-time
20 care of a dependent child under the age of seven (see “Parental
21 Leave” below) may negotiate a reduced responsibility contract
22 under which the faculty member, in return for reduced teaching,
23 research, and/or governance responsibilities, will accept a
24 corresponding reduction in salary. A reduction in responsibilities
25 below 50% of full-time responsibilities will affect health and
26 retirement benefits.

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Comment [wjh5]: Per FAFAC

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28 A reduced responsibility contract, if sought, will be granted at the
29 sole discretion of the Provost, after consultation with the affected
30 faculty member, and the faculty member's program director,
31 department chair, and/or dean.

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34 **d. Employment of Both Parents.** If both parents of a child or step-child
35 hold faculty appointments, the time limitations governing paid family care
36 for a child, infant care and newly-adopted child care leave will be
37 combined so that the maximum paid leave period of the parents may not
38 exceed 120 days per child during any contract year and, for such purposes,
39 may not accrue at a combined rate of greater than 30 days per year per
40 child in succeeding contract years. The provisions of this subsection shall
41 not affect a faculty member's entitlement to paid disability leave for
42 illness or injury, paid family care leave to care for other family members
43 besides a child, unpaid leave of any kind, negotiation of reduced
44 responsibility contracts, or right to seek an extension of the tenure
45 probationary period for paid or unpaid disability, family, infant, or newly-
46 adopted child care leave actually taken by the faculty member.

Deleted: A faculty member who wishes to provide part-time care of a dependent child under the age of seven may also negotiate a reduced responsibility contract as specified in subsection b.(5).

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Comment [wjh6]: Clarification per FAFAC

Comment [wjh7]: Clarification per FAFAC

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3 **e. Long-term Disabilities.** The College provides a long-term disability
4 insurance policy for tenured and tenure-eligible faculty members.⁴
5 Benefits under the insurance policy are governed by the terms of the
6 policy in effect when a disability is incurred. The College is under no
7 obligation to extend indefinitely unpaid leaves of absence for illness or
8 injury but will try to accommodate lengthy illness or injury so long as, to a
9 reasonable medical certainty, the faculty member is expected to recover
10 within a reasonable period of time and is expected to be able to return to
11 work. Decisions regarding granting unpaid leaves of absence for illness or
12 injury will be made by the Provost, in consultation with the affected
13 faculty member, and the faculty member's program director, department
14 chair, and/or dean.

15 **f. Unpaid Leave or Reduced Responsibility Leave to Pursue**
16 **Professional or Political Activities.**

17
18 Provided that they meet their primary duties to the College, full-time
19 continuing instructional faculty members may occasionally apply for
20 unpaid leave or negotiate reduced responsibility contracts to pursue other
21 professional work or to run for and/or hold political office. Such leaves
22 must be for a reasonable amount of time and require the approval of the
23 Provost and of the Board of Visitors. The terms of such leaves of absence
24 will be set forth in writing, and the leave will not affect unfavorably the
25 tenure status of a faculty member, except that the time spent on such leave
26 will not count as probationary service unless otherwise agreed to by both
27 the faculty member and the President or Provost in writing.

Comment [CK8]: I moved the section called "extension of probationary period" to new III.C. 1.b.ii. on tenure review

Deleted: (7) Extension of Probationary Period. An untenured instructional faculty member who uses 120 days or more of paid or unpaid disability, family, infant, or newly-adopted child care leave during any consecutive two-year period shall be entitled, at his or her election, to extend the tenure probationary period by one year. An untenured instructional faculty member who has used less than 120 days of paid or unpaid disability, family, infant, or newly-adopted child care leave during any consecutive two-year period but who has, nonetheless, taken a significant amount of such leave prior to consideration for an award of tenure, or who has experienced circumstances which, at the faculty member's election, could have resulted in a significant period of such leave may petition the Provost for an extension of the probationary period. The decision to grant an extension of the probationary period under such circumstances shall be made at the sole discretion of the Provost, after consulting with the faculty member's dean and/or department chair. The election to extend the tenure probationary period by one year or the petition to the Provost to extend the probationary period by one year must be made no later than March 15 of the contract year before which the tenure review normally would occur. If such election is made or if the petition is granted by the Provost, the faculty member, thereby waives the provi... [2]

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Deleted: (9) Employment of Both Parents. If both parents of a child or step-child hold faculty appointments, the time limitations governing the provisions of subsection (2) relating to paid family care for a faculty member's children, infant care, and newly-adopted child care leave will be combined so that the maximum paid leave period of the parents may not exceed 120 days during any contract year and, for such purposes, may not accrue at a combined rate of greater than 30 days per year in ... [3]

Deleted: (10) Annual Notification of Leave Taken. Faculty member who take more than 30 days of paid disability leave, family care, infant care, or newly-adopted child care leave during a contract year must annually report to the Office of the Provost the number of days of paid leave taken during that contract year. Notification must be given in writing on a form provided by the Office of the Provost and must be submitted before August 15 of the next succeeding contract year. Annual notification forms n... [4]

⁴ Certain specified-term faculty members are also provided long-term disability insurance as stipulated in their contracts.

: *Policies and Procedures*. Revised 3/8/91).

(7) **Extension of Probationary Period.** An untenured instructional faculty member who uses 120 days or more of paid or unpaid disability, family, infant, or newly-adopted child care leave during any consecutive two-year period shall be entitled, at his or her election, to extend the tenure probationary period by one year. An untenured instructional faculty member who has used less than 120 days of paid or unpaid disability, family, infant, or newly-adopted child care leave during any consecutive two-year period but who has, nonetheless, taken a significant amount of such leave prior to consideration for an award of tenure, or who has experienced circumstances which, at the faculty member's election, could have resulted in a significant period of such leave may petition the Provost for an extension of the probationary period. The decision to grant an extension of the probationary period under such circumstances shall be made at the sole discretion of the Provost, after consulting with the faculty member's dean and/or department chair. The election to extend the tenure probationary period by one year or the petition to the Provost to extend the probationary period by one year must be made no later than March 15 of the contract year before which the tenure review normally would occur. If such election is made or if the petition is granted by the Provost, the faculty member, thereby waives the provisions of the *Faculty Handbook* requiring that a decision regarding the award of tenure be made within seven years.. No faculty member will be granted more than one such extension.

(9) **Employment of Both Parents.** If both parents of a child or step-child hold faculty appointments, the time limitations governing the provisions of subsection (2) relating to paid family care for a faculty member's children, infant care, and newly-adopted child care leave will be combined so that the maximum paid leave period of the parents may not exceed 120 days during any contract year and, for such purposes, may not accrue at a combined rate of greater than 30 days per year in succeeding contract years. If both parents of a child hold faculty appointments, the provisions of subsection (6) governing parental leave will be combined so that only one parent may take parental leave for the child as a matter of entitlement. The provisions of this subsection ((9)) shall not affect a faculty member's entitlement to paid disability leave for illness or injury, paid family care leave to care for a faculty member's spouse, parents or step-parents, unpaid leave of any kind, negotiation of reduced responsibility contracts, or right to seek an extension of the tenure probationary period for paid or unpaid disability, family, infant, or newly-adopted child care leave actually taken by the faculty member.

(10) Annual Notification of Leave Taken. Faculty member who take more than 30 days of paid disability leave, family care, infant care, or newly-adopted child care leave during a contract year must annually report to the Office of the Provost the number of days of paid leave taken during that contract year. Notification must be given in writing on a form provided by the Office of the Provost and must be submitted before August 15 of the next succeeding contract year. Annual notification forms must be filed yearly until such time as the faculty member accumulates 120 days of paid disability leave at the beginning of any subsequent contract year. Faculty members who begin any contract year with 120 days of accumulated paid disability leave need not file annual notification forms unless they take more than 30 days paid disability leave in a contract year.**c.**