

COLLEGE of CHARLESTON

OFFICIAL POLICY

9.3.5

MODIFICATION OF DUTIES FOR NEW FACULTY PARENTS

3/8/2016

Policy Statement

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PROCEDURE CREATE ANY CONTRACT OF EMPLOYMENT OR CONTRACTUAL RIGHTS OR ENTITLEMENTS.

Policy Manager and Responsible Department or Office

Human Resources

Policy

The College of Charleston recognizes the importance of balancing and integrating the demands of the workplace with family responsibilities. The College also recognizes that spending time with a newborn or newly adopted child is an essential component to achieving a work-family balance.

The College has designed a procedure that will allow a faculty member who has substantial and sustained childcare responsibilities for his/her newborn or newly-adopted

child to modify his/her professorial duties for a period of time (normally one academic semester unless extenuating circumstances exist) without a commensurate reduction in pay.

Faculty members are often faced with several obstacles when they are expecting a child or anticipate adopting a child. Importantly, faculty members have teaching obligations each semester, and taking a partial leave during a semester under FMLA interrupts the classroom learning experience for students. Faculty are also faced with imposing upon colleagues to teach the remainder of a semester and take on additional work on top of an already full schedule.

Allowing faculty to carry a full complement of professorial activities other than classroom responsibilities will provide additional flexibility in their work schedule at the time of the birth or adoption. While this practice is not designed to use as child care leave, the procedure provides eligible faculty members a period of time to adjust to the demands of parenting newly born or adopted children without a reduction in pay.

The Procedure:

Full-time Professors, Associate Professors, Assistant Professors, Senior Instructors, Instructors, Librarians, and all administrative officers of the College with academic rank ("hereinafter referred to as "Faculty") who become parents may be eligible for one academic semester period with modified duties.* The period of modified duties is available to a member of the faculty who gives birth or who has substantial and sustained childcare responsibility for a newborn or newly-adopted child no older than five years of age.

The period of modified duties normally shall not exceed one academic semester for each circumstance, although the Provost or Provost's designee may approve an extension in exceptional cases. The period of modified duties must be taken within the semester of the expected arrival of the child or in the subsequent semester.

Even though the semester of modified duties is not intended as child care leave, a faculty member requesting a modification of duties must have substantial and sustained childcare responsibilities for his/her newborn or newly-adopted child. This opportunity is not intended for faculty whose newborn or newly-adopted child is cared for by a spouse/partner, family member, and/or a childcare provider.

If both parents are employed by the College, only one parent may be permitted by the College to take a period of modified duties, although the Provost or Provost's designee may approve modification of duties for both parents should extenuating circumstances exist.

During the academic semester for which a faculty member applies for modification of duties, additional employment may not be accepted or performed. Rather, the expectation is that the faculty member will continue to carry a full complement of professorial activities. Examples of modified duties that may substitute for or be combined with reduced classroom responsibilities include but are not limited to: ongoing

scholarly research; teaching one or more courses before or after the semester of modified duties, including in summer sessions; supervising of independent study courses and/or student research projects; substantial undergraduate advising; curricular initiatives or special research projects to benefit the department and/or College; assessments of existing programs; outreach activities to recruit and/or retain majors; editing a newsletter or website for the Department; a comparative report of similar programs at sister institutions with recommendations for change; etc. The Dean and Department Chair, in consultation with the Office of Academic Affairs, will make the final determination of modified duties.

Plans for modified duties approved at the College have varied by when the birth or adoption occurs in relation to the semester of modified duties. In particular, plans approved for faculty for whom the birth substantially precedes the semester of modified duties typically include substantially reduced (rather than no) classroom responsibilities. Also, a plan approved for a faculty member who can request sick leave for the period certified as medically necessary following the birth of the child (normally up to six weeks) may involve fewer responsibilities.

* Visiting Professors/Instructors or Professors/Instructors with other term appointments are not eligible to receive the benefits pursuant to this procedure. However, if extenuating circumstances exist, requests for flexibility in scheduling courses may be submitted to the appropriate Department Chair for consideration.

We include some examples of approved plans for modified duties that may assist faculty members, chairs and deans in developing further plans. Plans approved include but are not limited to:

birth late in semester of modified duties:

- 6 credit hours in Express I courses + research
- 6 credit hours + revision of 50 community language exams

birth preceding, at beginning of, or early in semester of modified duties:

- 3 credit hours + “banked” independent studies + administrative tasks involving program coordination and development
- 4 independent studies + newsletter + majors’ handbook + research
- 5-8 internships + significant advising of majors + planning/gathering data for assessment + dept. website + handbook + professional development activities
- 8 or more internships + 5 “banked” independent studies + research projects + curricular reform + additional independent studies as needed
- 2 independent studies + assessment for dept. + advisor of two student groups + research projects

birth preceding semester of modified duties by 2 months or more:

- 3 credit course + 3 hour lab + 2 student projects/independent studies + research projects

- 6 credits of coursework + research projects
- 3 credit overload previous semester + 4 graduate student projects + undergraduate research mentoring + facilities renovation + several research projects
- 3 credit course + 2 graduate student projects + 2 undergraduate student projects + creation of departmental web-based clearinghouse for research opportunities for students + research projects
- 3 credit course + development of three courses + development of student website
- 3 credit course + directing newly created minor + research projects
-

No faculty member has requested a semester of modified duties in connection with an adoption yet, but any faculty member doing so will be accommodated in the spirit of the examples above.

This procedure for modified duties is *not* designed to replace any existing state or federal laws and/or already existing College policies and procedures. In particular, when a faculty member's medical condition precludes work of any nature, accumulated sick leave is appropriate. Unpaid leave may also be taken under FMLA, if that option serves the faculty member best.

Faculty members may also find the following state and federal laws and College policies and procedures helpful:

Faculty/Administration Manual:

Faculty Leave Policies (i.e. Sick and Family and Medical Leave (FMLA))

Third Year Review, Tenure and Promotion of Instructional Faculty College of Charleston Policies and Procedures (Human Resources and Academic Affairs websites):

Leave Policies (i.e., Sick; Leave Without Pay)

Family and Medical Leave Act (FMLA)

Tenure Clock Policy

South Carolina Code of Regulations (www.scstatehouse.net/coderegs/c019.htm):

19-710.01-19-710.07 Sick Leave

19-712.01 Other Leave Programs:

(B) Adoption Leave

(I) Extended Disability Leave

(J) Family Medical Leave Guidelines

U. S. Department of Labor (www.dol.gov/esa/whd/fmla):

Family Medical Leave Act (FMLA)

A faculty member requesting modification of duties must complete and submit an application entitled "Application for Modification of Duties" to the Department Chair, Dean and Provost for approval. Requests for modified duties should be made within three months of confirmation of pregnancy or of adoption, or as soon as practicable.

Upon full approval, a copy of the approved and signed application must be immediately forwarded to the Office of Human Resources.

Application for sick leave for the period certified as medically necessary following the birth of the child (normally up to six weeks) may also be appropriate, and must be made directly to the Office of Human Resources.

Departments/Offices Affected by the Policy

Procedures Related to the Policy

Related Policies, Documents or Forms

Issue Date:8/1/2006
Date of Policy Revision:3/8/2016

Next Review Date:10/3/2020

POLICY APPROVAL

(For use by the Office of the Board of Trustees or the Office of the President)

Policy Number: 9.3.5

President or
Chairman, Board of Trustees


President

Date: 3/8/16