Faculty Leaves Policy

The Faculty Leaves Policy is intended as a comprehensive reference to the various leaves available to faculty personnel and is subject to change. Leaves which are specific to faculty personnel are defined by this policy. Leaves which apply to university personnel, in general, are defined in the Administrative/Staff Leaves Policy.

Disability
See the Administrative/Staff Leaves Policy.

Family and Medical Leave Act (FMLA)
See the Administrative/Staff Leaves Policy.

Funeral
See the Administrative/Staff Leaves Policy. (Faculty should coordinate funeral attendance through their department chair.)

Jury Duty
See the Administrative/Staff Leaves Policy.

Military Service
See the Administrative/Staff Leaves Policy.

Mission President/Temple Residency
See the Administrative/Staff Leaves Policy.

Missionary Service
See the Administrative/Staff Leaves Policy.

Parental Leave
Parental leave accommodates eligible, full-time faculty while minimizing the impact on students, colleagues, and departments. When a full-time faculty member who has Continuing Faculty Status (CFS), or is on-track for CFS, becomes the parent of a child, either by childbirth or by adoption of a child as defined by the Family and Medical Leave Act (FMLA), that faculty member usually will qualify for a parental leave of one semester for the purpose of serving as the child’s primary caregiver ("semester" is interchangeable with the combined “spring/summer terms”). If a faculty member and his or her spouse are both faculty and eligible for parental leave, either one, but not both, may take this leave. The otherwise eligible spouse may request an unpaid leave in accordance with the university’s policy on personal leaves and/or the FMLA. (See the Administrative/Staff Leaves Policy.) Non-CFS track faculty may apply for parental leave depending on the unique circumstances of their employment. The request will be evaluated on the basis of the department’s ability to accommodate such a request.

Family and Medical Leave Act (FMLA)
Parental leave is intended to be consistent with the rights afforded under the FMLA. (See the Administrative/Staff Leaves Policy.) If the faculty member is FMLA eligible, then any qualifying FMLA leave time shall be administered concurrently with parental and personal leaves.

**Multiple Births/Adoptions**

Multiple births (e.g., twins, triplets, etc.) or simultaneous adoption of multiple children shall count as one event. This means an eligible faculty member is entitled to only one semester of approved parental leave for such an event.

**Salary, Benefits, and Responsibilities**

A faculty member who takes parental leave shall receive the same salary and benefits that she or he would have received if not on parental leave. During parental leave the faculty member shall be relieved of her or his normal duties and responsibilities.

A faculty member on parental leave is expected to continue compliance with the Church Educational System Honor Code, including its dress and grooming standards. (See the Church Educational System Honor Code.) LDS faculty also must maintain conduct consistent with qualifications for temple privileges. (See the Faculty and Employee Conduct Policy and the Rank and Status Policy.)

**Timing**

With approval, the faculty member may take parental leave during the semester in which the child is born or adopted, or during a subsequent semester that begins no later than six months after the birth or adoption. For purposes of this policy, a semester is defined as follows: Fall semester (September–December); Winter semester (January–April); Spring/Summer terms (May–August). A faculty member is expected to return to her or his normal duties and responsibilities for at least one year immediately following parental leave.

**Effect on CFS Clock**

The presumption is that a parental leave will result in a one-year extension of the CFS clock. (See the Rank and Status Policy.) However, this one-year extension is optional with the faculty member. A request to extend the CFS clock may be made by marking the appropriate box on the Request for Parental Leave form available from Faculty Relations, D-341 ASB, ext. 2-7017. The maximum number of extensions to the CFS clock is two within the six- or seven-year period.

**Multiple or Additional Leaves**

Generally, at least one year should pass from the beginning date of the last parental leave before an eligible faculty member qualifies for another parental leave. All other leaves are governed by university policy. (See the Administrative/Staff Leaves Policy.)

**Request for Parental Leave Form**

An eligible faculty member desiring a parental leave must submit a completed Request for Parental Leave form, available from Faculty Relations, D-341 ASB, ext 2-9772, to her or his department chair or dean. Approval for a parental leave includes the following:

1. Certification that the purpose of the parental leave is for the faculty member to serve as the primary caregiver for a qualifying child,
2. Certification that parental leave will not be used for purposes other than serving as primary caregiver (e.g., to pursue other employment opportunities, work full or part-time for another employer, etc.),
3. Confirmation of the anticipated start and end dates of the parental leave,
4. Concurrent use of FMLA with parental leave,
5. A Commitment to return to normal duties and responsibilities for at least one year immediately following parental leave, or to repay the salary and benefits used during the leave, and
6. Other conditions mutually agreed upon by the faculty member and the department chair or dean.

**Notification Requirement**

In order to minimize the administrative burden of ensuring adequate coverage of responsibilities, an eligible faculty member should give her or his department chair or dean at least three (3) months written notice of her or his intention to take parental leave. If notification is less than three months, the request will be evaluated on the basis of the department’s ability to reasonably facilitate such a request. Medical
emergencies or the uncertainties of adoption that prevent the giving of three months’ notice will not disqualify an eligible faculty member from parental leave.

**Rescheduling of Courses**

Where reasonably practicable, the department chair and department faculty may minimize any adverse impact on department offerings by rearranging teaching assignments or modifying non-essential course schedules and offerings in anticipation of a parental leave.

**Availability of University Resources**

When a parental leave would create an unavoidable overload for one or more faculty colleagues, the department chair may consider hiring additional temporary faculty to teach one or more courses or teaching loads may be reassigned among department faculty. When appropriate, the department chair may request assistance from the dean who may appeal to the Academic Vice President for additional resources.

**Personal Leave**

Personal Leaves are not funded by BYU and generally are not compensated. Personal Leaves are not intended for the purpose of professional development, to enhance professional competence or add value to the university. Also, it may be required that FMLA leave be taken concurrently with a Personal Leave. (See the [Administrative/Staff Leaves Policy](http://policy.byu.edu/view/index.php?p=56).) Examples of purposes for taking a Personal Leave include:

1. Personal or health issues that require a faculty member’s time, including the need to care for the health needs of family members,
2. Legitimate family needs including caring for children, parents, or other family members,
3. Employment outside the university, including starting a business or consulting that does not qualify as professional development. (See the [Conflict of Interest and Conflict of Time Commitment Policy](http://policy.byu.edu/view/index.php?p=56).),
4. Exploring and accepting employment at other institutions of higher education.

**Granting of Personal Leaves**

Personal Leaves vary in length, but generally are not longer than one year. Requests for a Personal Leave require approval by the department chair and the dean. When approved, the dean forwards the request to the Associate Academic Vice President–Faculty who determines whether the request should be submitted for final approval in accordance with the same process governing approval of Professional Development Leaves.

**Benefits Implications of Personal Leaves**

For the first three months of a Personal Leave, in order for full benefits to continue, the faculty member must arrange to pay his or her share of the monthly premium contribution as normally deducted from his or her salary. The university will make its usual monthly premium contribution to the faculty member’s benefits. After the third month, the faculty member will be responsible for both his or her normal monthly premium contribution to benefits, and the university’s monthly premium contribution. Contact Benefits Services, D-240 ASB, ext. 2-4716, for additional information.

**Rank and Status Implications of Personal Leaves**

For faculty in a CFS track position, Personal Leave may stop the CFS clock for one year. (See the [Rank and Status Policy](http://policy.byu.edu/view/index.php?p=56), Section 4.5.)

**Salary Implications of Personal Leaves**

If a faculty member returns to full-time employment at BYU following a Personal Leave, the university may, at its discretion offer a salary which includes the normal salary increase that the faculty member would have received had he or she not been on Personal Leave.

**Subsequent Employment Following Personal Leaves**

As part of the application process for a Personal Leave, the department chair and the dean should specify in writing whether the faculty member will be guaranteed employment after the leave. Whether employment is guaranteed will depend on the nature and purpose of the leave and legitimate university needs.

**Conflict of Interest During Personal Leaves**
A faculty member on Personal Leave remains an employee of BYU subject to university policy, including policy governing conflict of interest. A BYU faculty member shall not accept tenure nor agree to a continuing employment relationship with another academic institution while on leave from BYU unless written permission to do so is given by the chair, the dean and the Academic Vice President. Otherwise, such an arrangement constitutes conflict of interest. (See the Conflict of Interest and Conflict of Time Commitment Policy.) To enter into such an agreement with another university without such written permission voids the faculty member’s continuing faculty status, and exposes him or her to non-renewal of his or her employment contract with BYU.

Honor Code, Dress and Grooming Standards and Temple Eligibility During Personal Leaves

Because a faculty member on Personal Leave remains an employee of BYU, he or she is required to abide by the standards of the Church Educational System Honor Code and the BYU Dress and Grooming Standards. If the faculty member is LDS, he or she is also required to maintain temple eligibility.

Personal Leave - Partial

Under extraordinary circumstances, a partial Personal Leave may be appropriate but should not exceed 25% time off in order to maintain full benefits. Generally, a partial Personal Leave includes the concurrent use of FMLA if the purpose of the leave is FMLA qualified. (See the subheading Family Medical Leave Act (FMLA) section in the Administrative/Staff Leaves Policy; also, see the PARENTAL LEAVE sections in this policy.) A partial Personal Leave involves a proportional reduction in salary and faculty assignments and follows the same approval process as a regular Personal Leave. A partial Personal Leave may allow a faculty member in a CFS track to stop the CFS clock for one year. (See the Rank and Status Policy, Section 4.5.)

Professional Development Leave

Professional Development Plan

Professional development involves an ongoing plan to enhance professional expertise, increase creativity, and produce more proficient scholars and teachers. Professional development includes a balanced program of professional leaves, reading, improvement of teaching technique, innovative course development, creative work, research, artistic production and involvement in community service and/or activity in professional organizations. Upon returning from a Professional Development Leave, the faculty member is expected to provide a summary of his or her experience for the benefit of colleagues and other interested parties. Guidelines set forth by the department or college determine how and when this summary is to be presented.

Each faculty member should formulate a professional development plan. This plan may include Professional Development Leaves. The department chair should review the professional development plan as part of the faculty member’s Annual Stewardship Interview. (See the Rank and Status Policy, Section 3.1.4.)

Granting of Professional Development Leaves

Generally, a Professional Development Leave is approved for up to one year. Under special circumstances, a Professional Development Leave may be extended. The faculty member is guaranteed employment at BYU at the conclusion of a Professional Development Leave, unless terminated for cause. A request for Professional Development Leave requires written justification for the leave and initial approvals at the department and college levels. (Refer to the Leave of Absence Application form.) After the initial approvals are obtained, the dean forwards the request along with the written justification to the Associate Academic Vice President–Faculty who determines if the request should be submitted for final approval. Final approval is granted by the President and the Office of the Commissioner of Church Education.

Purposes of Professional Development Leaves

Purposes which may justify the granting of a Professional Development Leave include:

1. A significant extension of professional knowledge, experience, or skills beyond those already possessed in research, creative activities, informational competency, or teaching ability,
2. A renewal of professional knowledge or skills in the faculty member’s field,
3. Publication of scholarly or creative work or other exposure to an appropriately
critical audience,
4. Attaining licensure, certifications, or an advanced degree recognized as the terminal
degree in the faculty member’s discipline, or one which would bring enhanced
competence to the faculty member’s assignment,
5. Opportunities for collaboration with scholars at other institutions or for consultation
or employment at agencies or institutions which would enhance the faculty
member’s professional skills, stature, or productivity,
6. Opportunities for carrying out research or creative work at sites outside the
university when this contributes to the quality of the work.

Written justification for a Professional Development Leave should include:

1. A description of the leave opportunity and its potential contribution to the expertise
   or productivity of the faculty member,
2. A description of the scholarly or pedagogical products likely to result from the leave,
3. A statement of likely benefits to the university, and
4. A detailed justification of any request for support funding.

**Funding for Professional Development Leaves**

University funding for Professional Development Leaves generally comes from budgeted
funds allocated by colleges and departments. Leaves may also be supported with non-
budgeted funds as appropriate.

Generally, a Professional Development Leave for one semester is funded by the
university at full salary. Professional Development Leaves for two semesters normally
are funded at half salary. Leaves may extend over spring and summer terms and may
be compensated if approved by the department chair and if the normal teaching
responsibilities for Spring and Summer terms can be met by the department. Short-
term Professional Development Leaves, including leaves during Spring and/or Summer
term, which do not take faculty members away from campus, may be approved by the
department chair and dean without submitting a formal Leave of Absence Application
form.

Professional Development Leaves for which a faculty member’s salary is funded by an
outside source should not also include salary funded by BYU. However, faculty may
receive university support in addition to that provided by outside sources for salaries,
travel, relocation, or project costs not funded by the outside source when such support
will prevent financial loss to the faculty member. Occasionally, an arrangement may be
considered where the university and the hiring institution share the cost of the salary for
the faculty member. The university will make a reasonable attempt within policy and
available resources to facilitate Professional Development Leaves judged to have merit.
The object is to make the leave possible as an investment in the faculty member’s
professional development and productivity. It is inappropriate for the university to
provide funding in addition to that available from outside sources if it results in a double
salary, or in an unusual financial gain for the faculty member.

**Benefits During a Professional Development Leave**

Faculty members will qualify for full benefits during a Professional Development Leave
approved and funded by the university. In cases where a faculty member receives salary
and benefits from another institution during a Professional Development Leave, he or
she should work with Benefits Services to make sure benefits can be fully reinstated
without penalty upon return to the university. If a faculty member receives full or partial
salary from another institution but not benefits, BYU benefits should be requested on the
Leave of Absence Application form, and will normally be provided by the university.

Time spent on Professional Development Leave will be counted as benefit credit for
retirement purposes. Faculty members going on leave should contact Benefits Services
to confirm whether the leave may impact their DMBA benefits.

**Evaluation of a Professional Development Leave**

Post-evaluation of Professional Development Leaves is essential. Each faculty member
returning from a Professional Development Leave should submit a written report to the
department chair. This report should refer specifically to the proposed objectives which
led to the granting of the leave and show how and to what extent the objectives were
achieved. Preferably, time in department meetings or special meetings should be given
to report to the entire faculty of the department and other interested parties on the
scholarly products and faculty development achieved as a result of the leave.
Nevertheless, how and when the summary is to be presented should be determined by
the department or college.
Rank and Status Implications and Salary Increases During Professional Development Leaves

As provided in the Rank and Status Policy, Section 4.5, time spent on Professional Development Leaves is counted as part of the probationary period leading up to the final review for CFS. Thus, a Professional Development Leave does not "stop the clock," or alter the schedule of rank and status reviews. A CFS review will occur on schedule even if a faculty member is on Professional Development Leave during the time of the review. The faculty member bears responsibility to prepare and submit the required materials prior to or during the time of the leave. A review for rank advancement may occur while a faculty member is on leave. When a Professional Development Leave is granted for the purpose of pursuing a graduate degree, consideration for promotion in rank will be given after, rather than before, the leave. A faculty member going on Professional Development Leave will receive the same increase in salary base as if the faculty member were not on leave.

Conflict of Interest During Professional Development Leaves

A faculty member on Professional Development Leave remains an employee of BYU, and he or she is bound by university policy, including policy governing conflicts of interest. A BYU faculty member shall not accept tenure nor agree to a continuing employment relationship with another academic institution while on leave from BYU unless written permission to do so is given by the chair, the dean and the Academic Vice President. Otherwise, such an arrangement constitutes conflict of interest. (See the Conflict of Interest and Conflict of Time Commitment Policy.) To enter into such an agreement with another university without such written permission constitutes a resignation of the faculty member’s continuing faculty status and his or her employment.

Subsequent Employment Requirement

A faculty member granted a Professional Development Leave is required to return to the university for one year of regular employment immediately following the leave. Faculty members who choose not to return for a minimum of one year employment immediately following such a leave will be required to reimburse BYU for all associated costs paid by the university during the Professional Development Leave. Additionally, in such case, the Professional Development Leave will be counted as Personal Leave and the period of the leave will not count as benefit credit for retirement purposes. The university, at its sole discretion, may elect to waive the subsequent employment requirement. Authorization to waive the requirement is granted in writing by the Academic Vice President.

Honor Code, Dress and Grooming Standards and Temple Eligibility During Professional Development Leaves

Because a faculty member on Professional Development Leave remains an employee of BYU, he or she is required to abide by the standards of the Church Educational System Honor Code and the BYU Dress and Grooming Standards. If the faculty member is LDS, he or she is also required to maintain temple eligibility.

Professional Development Leaves With Other Employers

Faculty members may request leaves with other employers within the Church Educational System (CES) or with non-CES employers. Such leaves may be either Professional Development Leaves or Personal Leaves.

If a faculty member is granted a Professional Development Leave with another employer, double compensation will not be permitted. Arrangements for compensation and expense allowances should be arranged in advance with the hosting employer and the university.

If the approved leave with a CES employer exceeds 18 months, the faculty member should be transferred to the hosting employer. During the leave, the faculty member becomes subject to the personnel policies, compensation, and benefit programs of the hosting employer.

Church Educational System (CES) and BYU Work Requests

The university is not expected to fund projects which are requested by Church departments or Church-related agencies. While it is possible to grant release time for a faculty member to work on a Church project, projects that require substantial time commitments from faculty members should entail an official leave. The funding for the leave should come from the Church department or agency sponsoring the project. Faculty should not be approached directly until the necessary clearances have been
obtained from the department chair, dean and Academic Vice President or authorized
designee.

If the project is to be carried out at BYU using university facilities, a contract should be
arranged through Faculty Personnel to cover salary, benefits, and the appropriate
overhead for Church-related projects. If the project is to be carried out in the facilities of
a Church department or Church-related agency with only nominal or no use of university
facilities, the Church department or agency will only be billed a prorated amount for the
faculty member’s salary and benefits.

Occasionally, BYU requests the services and expertise of CES personnel. Before such a
request is made, approval must be obtained from the Academic Vice President or
authorized designee, the office of the CES Administrator, and coordinated through
Faculty Personnel.

Professional Development Leave - Partial

While uncommon, occasionally a professional development opportunity arises which only
requires a part-time commitment and allows the faculty member to remain in the local
area. Under these circumstances, a partial Professional Development Leave may be
appropriate. Often it may be granted by the department chair and approved by the dean
without having to follow the formal leave application process. The granting of a partial
Professional Development Leave only requires the same approval process as a regular
Professional Development Leave if the faculty member will be away from campus for a
period of more than two weeks during a semester or term. (See the subheading,
Granting of Professional Development Leaves in the professional development
leave section of this policy.) A partial Professional Development Leave does not stop the
CFS clock. (See the Rank and Status Policy, Section 4.5.)

Sick Leave

Because of the responsibilities and necessity for continuity of assignments, a faculty
member should promptly notify the department chair of any illness which precludes the
faculty member from performing the essential duties of his or her employment. The
department chair may be able to make arrangements with other faculty members to
meet the assignments of the person who is ill. Unless the illness is protracted, the
expectation is that colleagues of the ill faculty member will voluntarily assist with
assignments. When the employment of a substitute becomes necessary because of a
prolonged illness, the department chair, in consultation with the dean, will review the
situation and resolve each case on its own merits. In cases of prolonged illness,
disability options also should be explored.

For administrative and staff sick leave, see the Administrative/Staff Leaves Policy.

Vacation

Generally, faculty who have letters of appointment for less than 12 months use their
non-contract month(s) for vacation purposes. Exceptions must be approved by the
department chair and dean (substitute director for dean, where appropriate). Faculty
with 12 month letters of appointment are under agreement to render full service for 12
months, one month of which is specified as vacation time. It is strongly urged that
vacation be arranged and taken to allow the personal renewal process to occur.
Department chairs who have 12-month letters of appointment are expected to be on full
time duty for a full ten months (two semesters plus one term), plus perform
administrative duties necessary during the other term. This will ordinarily be the
equivalent of one additional month. Vacation time may be spaced (if administrative
duties require it) so that it is not taken all at once. The equivalent of one month should
be taken as vacation, preferably in periods of at least a week at a time.

For administrative and staff vacation, see the Administrative/Staff Leaves Policy.

THE UNIVERSITY RESERVES THE RIGHT TO DEViate FROM THIS POLICY WHEN
CIRCUMSTANCES WARRANT.