

Faculty Modified Duties Assignment (FMDA)

Iowa State University

October 15, 2008

Background and Rationale for FMDA

To create a supportive environment, ISU provides a variety of options to help faculty balance work and family.* A faculty member, for instance, could take leave from university duties under the following policies: Unpaid Leave of Absence, Paid Maternity Leave, Paid Adoption Leave, and FMLA (the Family and Medical Leave Act) which allows up to 12 weeks of unpaid leave for eligible faculty, some of whom may be able to supplement it with paid sick leave. In addition, a faculty member could modify her or his work or probationary period through a Part-Time Appointment or Extension of the Tenure Clock. These options, however, may not always meet the faculty member's need for a temporary modified workload. Therefore, the University has adopted the Faculty Modified Duties Assignment (FMDA), which is available to the parent(s) of a newborn child, a newly adopted child under the age of six, or foster-care placement of a child under the age of six.

FMDA enables faculty to continue their performance responsibilities at full pay for up to one semester while managing the arrival of a child through modified duties, often a reduced commitment to be on campus on a regularly scheduled basis, so that the faculty member has the

* Consult the *Faculty Handbook* for a detailed description of each of the following:

Leave of Absence, see section 4.5.3

Maternity Leave, see section 4.5.4

Adoption Leave, see section 4.5.5

Part-Time Appointments, see sections 3.3.1.1 and 3.3.1.2

Extension of the Probationary Period (also referred to as Extension of the Tenure Clock), see section 5.2.1.4, especially 5.2.1.4.1, 5.2.1.4.2, and 5.2.1.4.3.

Family Medical Leave Act, see section 4.5.6

flexibility to attend to new parental duties. Similar policies are increasingly used at research universities that make recruitment and retention of faculty a top priority.

FMDA Policy

1. Eligibility

All tenure-eligible and tenured faculty are eligible for FMDA as a matter of right. An eligible faculty member who is designated as the “primary caregiver” may apply for one semester of paid release from teaching and service (or the equivalent release time for non-teaching faculty) to be completed within 12 months of the birth of a child, the adoption of a child under the age of six, or the foster care placement of a child under the age of six. Documentation of primary caregiver role may be required and is defined as: A faculty member is the primary caregiver if s/he is the person who provides the majority (more than 50%) of the care for a child during the leave period. Providing care means providing the actual time and commitment for the active, hands-on care and custody of the child.

Part-Time Appointments: An A-based or B-based tenured or tenure-eligible faculty member with a part-time appointment before the proposed period of FMDA will be granted FMDA only for the percentage of appointment preceding the FMDA (see 3.3.1.1 in the *Faculty Handbook* for a description of part-time appointments).

Eligibility of Both Parents for FMDA. If both parents of a newborn child, a newly adopted child, or a child newly placed in foster care are eligible faculty members, they may use FMDA consecutively within 12 months of the arrival of the child by birth, adoption, or foster care placement. If both parents are eligible and are in the same department, they are expected to request modified duties in different semesters.

2. Duration and Frequency of FMDA

The maximum period for which modified duties will be assigned is one semester, and the semester must fall within 12 months after the child is born, adopted, or placed in the home. This limit applies even in the case of a multiple birth as well as the simultaneous adoption or foster-care placement of more than one child. FMDA may be used only twice in the course of an eligible faculty member's career at ISU.

3. FMDA and FMLA

If the faculty member is also eligible for leave under FMLA, the one semester of paid release for a faculty member eligible for FMDA may run concurrently with the provisions of FMLA in place at ISU. Faculty eligible for and participating in family or medical leave under FMLA may use it for the arrival of a newborn child, a newly adopted child, or a child placed through foster care.

4. FMDA and Sick Leave for Birth Mothers

An A- or B-base faculty member who is a birth mother may use sick leave for maternity according to ISU policy in addition to FMDA as appropriate. For periods when full leave is required (e.g., directly following a birth), a faculty member must use available balances of sick leave to supplement the FMDA.

5. Application Procedure for FMDA

Consult with Human Resource Services. Prior to the birth, adoption, or foster care placement of a child, a faculty member using FMDA must consult with Human Resource

Services (HRS) to determine eligibility for FMLA, which will run concurrently with FMDA in most cases.

Request FMDA. A faculty member will notify the department chair of the need for FMDA no later than four months in advance of the semester (if possible) in which the FMDA will commence. The notice must include a written statement by the faculty member certifying that the person has primary responsibility for the child during the leave period. The faculty member and department chair will discuss the proposed modifications, which must be mutually agreed to by the faculty member and the chair and approved by the dean and the provost. Tenure-eligible faculty who are eligible for FMDA may request that an extension of the tenure clock be part of the proposed modifications under discussion for the granting of FMDA.

6. Terms of the FMDA

Residence Requirement. During the period of modified duties, faculty members are expected to remain in the community in order to be available to their students and colleagues. Absences from the community require the usual approvals from the department and college. N.B.: Virtual communities do not qualify.

Review of Tenure-eligible Faculty. Any tenure-eligible faculty member who uses a leave of absence, FMLA, part-time appointment, Extension of the Probationary Period, or FMDA will be reviewed for promotion and tenure no later than the tenth year (see *Faculty Handbook*, 5.2.1.3).

Come Back or Pay Back. A faculty member granted FMDA for one semester agrees to come back to ISU to resume full duties for a minimum of two semesters following the period of FMDA. If the faculty member's contract would expire prior to the two-semester period, the

faculty member's commitment will be reduced according to the contract. If the faculty member chooses to leave the university without completing the two-semester commitment, the faculty member must pay back the cost of the FMDA. Tenure-eligible faculty may request FMDA for a semester in the year they are reviewed for tenure; however, faculty denied tenure are not eligible for FMDA for either semester of the year of employment following the denial of tenure.

On-Going Review. A faculty member on FMDA will continue to be reviewed annually according to department, college, and university policy and the Position Responsibility Statement in place.

7. FMDA Funding

Half of the cost of replacing a faculty member's teaching, research supervision, and/or service responsibilities for one semester will be paid by the Office of the Executive Vice President and Provost. The college will cover the other half. The cost of FMDA for a faculty member with a joint appointment between two colleges or between a college and a center will be split proportionally. These costs typically would be for replacement hiring to cover teaching, research supervision, and/or service needs during the modification of responsibilities of the faculty member.

8. Policy Review

The Provost, in collaboration with the Faculty Senate, will reevaluate this policy three years from the semester in which the program is implemented.