### **Approved by Faculty Senate April 8, 2019, pending approval by Board of Trustees**

### **6.2.1 Paid Leaves of Absence for Medical or Family Reasons**

**6.2.1.1** There are times when a faculty member, for one of the reasons listed in section [6.2.1.3](#kix.nir3zjt5x47h) below, may find it necessary to be absent in total or in part for an extended period of time. In such cases, leave with pay will be considered subject to the following procedures and conditions:

(a) Eligibility for consideration is limited to those faculty who (1) are eligible to participate in the N.C. Teachers’ and State Employees’ Retirement System or the UNC Optional Retirement Program; (2) have at least one year of cumulative service in State government; and (3) have been employed a minimum of half-time at Appalachian State University during the twelve (12) months preceding the request for leave.

(b) When a faculty member finds it necessary to take such leave, the faculty member must notify the department chair of their intention to request paid leave and complete a Request for Leave of Absence Form (available on the University’s Leave Management website). The Leave Management Administrator will work with the faculty member to obtain any necessary medical or other documentation to determine eligibility for job-protected leave under the federal Family and Medical Leave Act (FMLA) and consideration of paid leave under this policy.

(c) The Request for Leave of Absence form shall state the reason for the request and the expected length of time (not to exceed one semester) the absence or reduced workload is expected to last. The request for leave should be submitted at least sixty (60) days in advance of the leave or as soon as practicable after the need for the leave is foreseeable.

(d) Any information obtained by the Leave Management Administrator related to the faculty member’s eligibility will be maintained confidentially in the Leave Management Office.

(e) Upon verification of the faculty member’s eligibility for an FMLA job-protected leave of absence and consideration for leave with pay under this policy, the Leave Management Administrator will inform the department chair of the faculty member’s eligibility.

(f) Following confirmation of the faculty member’s eligibility, the departmental chair will discuss the request with the dean, who will in turn notify the provost and executive vice chancellor what is requested and what is recommended.

(g) The provost and executive vice chancellor will make the final decision regarding any requests for leave with pay and will so notify the faculty member in writing.

(h) When leave is taken for medical reasons for oneself, the University may require that the faculty member have a health care provider certify that the faculty member is fit to resume duties. The University makes the ultimate decision as to the faculty member’s fitness to resume duties.

(i) The departmental chair is responsible for arranging coverage of the faculty member’s duties. Whenever feasible, replacement instructors should be hired to assume the duties of a faculty member on extended leave. Responsibility for covering the cost of replacement instructors will be determined through consultations among the departmental chair, dean, and provost and executive vice chancellor.

(j) Any academic year during which, under this policy, a probationary faculty member is on leave for more than twenty-five (25) class days of the academic calendar or receives a total teaching-load reduction of more than six credit hours will not count as probationary service with respect to permanent tenure unless the faculty member requests in writing to the departmental chair that it be so counted. Such request must be made within one calendar year following the end of the leave or course-load reduction.

(k) Paid leave provided for under this policy has no effect on the faculty member’s other employment benefits. All periods of paid leave under this policy will be construed as family and medical leave under the Family Medical Leave Act, and the FMLA entitlement of twelve (12) weeks without pay will run concurrently with any period of paid time off. The North Carolina Family Illness Act allows for an extension of up to fifty-two (52) weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse, or parent. Faculty with a balance of accrued leave from a previous twelve (12)-month appointment will be requested to exhaust that leave before receiving paid sick leave under this policy;

(l) Unused leave under this policy will not be accumulated or carried over to another academic year; allowable as terminal leave payment when the faculty member leaves the University; or used to extend years of creditable service for retirement benefit purposes;

(m) Responsibility for maintaining faculty leave records rests with the Leave Management Office and all records will be maintained confidentially in compliance with the Family and Medical Leave Act.

**6.2.1.2** There may be extraordinary circumstances when a one-semester leave is not sufficient. When this is the case, a request for an extension of the leave may be made subject to the procedures and conditions stated above. Should time in excess of two consecutive semesters be required, it will be necessary to consider a leave of absence without pay or a medical disability leave.

**6.2.1.3** Leave with pay will be considered for any of the following reasons:

(a) for the birth of a child and/or to exercise primary responsibility for the care of an infant following the birth;

(b) to exercise primary responsibility for care of a child under age five placed with the faculty member for adoption or foster care, provided the leave is taken immediately following the placement;

(c) to exercise primary responsibility for the care of the faculty member’s child, spouse, domestic partner, or parent when that child, spouse, domestic partner, or parent has a serious health condition;

(d) because the faculty member has a serious health condition and is unable to perform the essential functions of the position.