

ENABLING A FAMILY-FRIENDLY INSTITUTION: CREATIVE PRACTICES

The shape and demography of the academy has changed significantly in the past twenty-five years. Increases in the numbers of women have considerably changed the shape of scholarship and the face of the Academy. Notwithstanding the increased numbers, the fields of Christian Ethics and Religious Studies, and the academy as a whole, have seen minimal changes in the status such persons attain. For example, women continue to hold the majority of adjunct, instructor, and lecturer positions.¹ True Diversity among tenure-track faculty remains an elusive goal. In 1975 women made up 22.5% of full-time faculty; in 2001, they accounted for just 36%. Only 26% of tenured professors are women and only 19% of tenured professors at doctoral institutions are women. Among full-time professors, 48% of women, versus 68% of men, are tenured.² In the field of theology/religion, while the number of women with Ph.D.s has increased (to 38% in 1996), the number of women hired for tenure track positions has actually declined.³ Today it is frighteningly easy to look around in job searches, departments, journals, and professional meetings and ask, "Where are the women?"

While there are many factors behind the disproportionate representation of white males in doctoral research institutions and tenured jobs across institutions of higher education, we would like to focus our attention on one of the most significant. Women are opting out of the academy or failing to thrive once they get in because they spend much more of their time caring for family members than men do.

Family care is an issue that affects women throughout their lives. Women are more likely to drop out of graduate school, either because they are already in the midst of child bearing and cannot complete their work or because they see the compromises the future would require them to make and choose another field.⁴ Among those who graduate, many are less competitive, because they have less time for research.⁵ A large number end up as adjunct professors, with or without terminal degrees.⁶ At the interview stage, colleges receive significantly fewer female than male applications and hire more men than women.⁷

Once inside the academy, women's family care is directly linked to their difficulty in achieving tenure, advancing to the rank of full professor, and holding powerful administrative positions.⁸ "Currently, the

¹ "2004 National Study of Postsecondary Faculty: Background Characteristics, Work Activities, and Compensation of Instructional Faculty and Staff: Fall 2003," National Center for Education Statistics, (December 2005).

² American Academy of University Professors, "Statement of Principles on Family Responsibilities and Academic Work," (approved May 2001) www.aaup.org/statements/re01fam).

³ Miles, Margaret, "From the Garden to the Academy: Blame, Battle, or a Better Way?: Exploring Sex and Power in the Academy" *Journal of Feminist Studies in Religion* 17:1 (Spring 2001) 103. If current trends continue, women will earn about half of all Ph.D.s in theology/religion in 2006.

⁴ Mason, Mary Ann Mason and Goulden, Marc, ("Do Babies Matter? The Effect of Family Formation on the Lifelong Careers of Academic Men and Women," *Academe* 88:6 (November/December 2002). 59% of women with children indicated they were considering leaving academic life, 25.

⁵ Ibid.

⁶ See Perna, Laura W. "The Relationship Between Family Responsibilities and Employment Status Among College and University Faculty," *Journal of Higher Education* 72:5 (September/October 2001) 603 and Mason and Goulden, 5.

⁷ Miles, 104, relying on a 1998-99 study by Richard Rosengarten for the Council of Graduate Studies in Religion, who found that on institutions received about 70% of applications from men and 30% from women. Of those hired, 60% were male, 40% female.

⁸ Ibid 105, and Finkel, Susan Kolker and Olswang, Steven G., "Child Rearing as a Career Impediment to Women Assistant Professors," *Review of Higher Education* 19:2 (Winter 1996):123-39. In a survey of women professors at one university, 82% of women with children under six and 59% of all women with children believed that the time required for childrearing

task of balancing family and career tends to fall disproportionately to women. Childbearing, childbirth, child rearing, child care, care for dependent relatives with disabilities or medical needs, and elder care are all “family” related responsibilities predominantly shouldered by women. Increasingly, men are seeking to share this responsibility but they are discovering what many women already know. Despite lip service to the contrary, society at large and their place of work frequently discourage, if not penalize, those who make such efforts. “The conflict between work and family obligations that many faculty members experience is more acute for women faculty than men.”⁹ Thus, addressing this conflict is crucial to achieving diversity.

The creation of family-friendly departments is of relevance to academic societies because it directly concerns issues of equity and equal opportunity in academic life. For this reason, in November 2001, the American Association of University Professors adopted a “Statement of Principles on Family Responsibility” that encouraged higher education institutions and academic societies to use their principles and guidelines “to construct appropriate policies and practices regarding family leaves, modified teaching schedules, ‘stopping the tenure clock,’ and institutional assistance for family responsibilities.”¹⁰

The Women’s Caucus believes the Society of Christian Ethics should promote the adoption of policies and guidelines that foster family-friendly departments and thereby positively contribute to increased diversity within our field. We believe the endorsement of such creative practices falls directly within the mission of the Society of Christian Ethics, which,

is to promote scholarly work . . . in the relation of Christian ethics . . . to social, economic, political and cultural problems; to encourage and improve the teaching of these fields in colleges, universities and theological schools; and to provide a community of discourse and debate for those engaged professionally within these general fields At the same time, the Society addresses in national and global contexts problems in applied and professional ethics, and various human rights and social justice issues.

The inequitable representation of women in the academy as a whole, and Christian ethics in particular, hinders the growth and diversity of the “community of discourse and debate” the Society seeks to foster. Support for increased diversity will “encourage and improve the teaching” within the field, which is a direct application of “applied and professional ethics” in response to particular “social justice issues” in our field and the wider academy.

Fostering more family-friendly departments directly impacts our academic life together and our ability to fulfill our mission:

As institutions of higher education seek to hire and retain high quality faculty, they compete not only with other colleges and universities but also with employers outside the academy. In fact, research suggests that institutions that do not accommodate family caregiving suffer in the competitive academic workplace.¹¹

was a serious impediment to their careers (131). See also Florence Caffrey Bourg, “Family Economics and the Lay Theologian,” paper presented at the CTSA, June 2003, which shows that 54% of parent-theologians say their research has been slowed due to children. For a balanced discussion of the stresses and joys of successful academic mothers, see Kelly Ward and Lisa Wolf-Wendel, “Academic Motherhood: Managing Complex Roles in Research Universities,” Review of Higher Education 27:2 (Winter 2004): 233-57.

⁹ “Statement of Principles on Family Responsibility,” Association of University Professors, (November, 2001).

¹⁰ Ibid.

¹¹ “Family-Friendly Policies in Higher Education: Where do We Stand?” The Center for the Education of Women, University of Michigan (2005) and Friedman, Rimsky, and Johnson, “College and University Reference Guide to Work Family Programs,” Families and Work Institute (1996).

Thus, how academic institutions approach such matters quite literally impacts not only who is able but also who is willing to pursue the academic study of Christian ethics. This in turn affects both the quantity and diversity of our profession, the Society's membership, and consequently, the shape of our annual programs. Other academic societies have made precisely these sorts of recommendations because they understand how powerfully such policies and practices influence their fields of study.¹²

The creative practices presented in this document offer benefits and encourage restructuring based on the needs of those who provide primary care regardless of gender. However, in everyday use, women disproportionately require such benefits because they do most of the care. As a result, many of the benefits are construed as creating a "mommy track" – women who perform majority of childrearing duties – and a "daughter" track – women who perform the majority of elder care duties. These gender assumptions discourage the use of benefits. For example, the tenure clock problem has largely been solved at the policy level, as most schools offer, but don't require, extensions. Yet, most faculty do not feel comfortable taking extensions. This is an academic culture problem. One step to changing this culture is for academic societies like the SCE to collectively support creative practices, such as those outlined below.

As a number of other professional organizations have done, the Women's Caucus of the Society of Christian Ethics is recommending a number of guidelines and practices that seek to enable family-friendly departments. The guidelines fall within three different categories: (1) specific practices for academic departments, (2) employee benefits programs provided by institutions, and (3) legal regulations.

DEPARTMENTAL PRACTICES

Within academic departments, small changes can have a significant impact on the creation of a family-friendly environment. Many of these changes can be implemented by department chairs, professional school deans, and consensus votes at department meetings. Other more influential changes require a mix between institutional policy and department practice. We recommend that all policies of an institution or department be written, formal policies that are well-monitored. Such provisions reduce the creation of a separate (mommy/daughter) track and increase communication and full disclosure about expectations. When policies are not formally written they tend to overlap between department practice and institutional support, for this reason, we have listed policies that would benefit from formal regulation by higher education administration under Institutional Practices.

Flexible work policies and schedules

Flexible work policies seek to encourage departments to be aware of and to take into consideration those that have family-care related responsibilities. One obvious example of such a policy is the

¹² A list of academic societies involved in such projects follows: Association for Women in Mathematics (AWM), Caucus for Women in Statistics, Committee on the Status of Women in Physics, Association for Women Geoscientists (AWG), American Medical Women's Association (AMWA), Committee on the Status of Women in Anthropology (COSWA), Sociologists for Women in Society (SWS), American Sociological Association (ASA), American Medical Association's Women Physicians Congress (WPC), American Medical Association (AMA). The American Academy of Religion's permanent commission on the Status of Women in the Profession is currently addressing issues of hiring and retention of women faculty.

scheduling of faculty meetings from 4:00-6:00 PM. Most center-based care facilities close between 5:00 and 5:30 PM. Young children often eat dinner during those hours or shortly thereafter. In scheduling recurring meetings, classes, and other faculty obligations, departments should give priority to those balancing external time constraints of child and dependent care facility operation hours, school break schedules, and responsibilities such as breastfeeding or taking an elder parent or partner for medical treatments.¹³

Active service with modified duties

Many academic departments offer the option of active service with modified duties for faculty members. Modified duty plans respond to the need for a faculty member to take care of a newborn or adopted child, to care for an elderly parent, or provide care for a partner. Reduction of or relief from teaching loads or service obligations while maintaining “active-service status” enables a faculty member to provide primary care to a newborn, emergency care to a dependent and transitional care to an elderly parent or partner. “The AAUP now recommends that the possibility of appointments with reduced loads be extended to all full-time faculty members, irrespective of their tenure status. The AAUP encourages institutions to explore the possibility of adopting policies providing for short-term periods of modified duties at full pay for family responsibilities.”¹⁴ Departments can use active service with modified duties as a creative option for meeting continued needs within a department, while also recognizing the specific needs of faculty members in various ranks.

INSTITUTIONAL PRACTICES

While individual departmental members may not be able to change institutional policy, each should be aware of possible institutional creative practices as well as the need to monitor the implementation of such policies so that it happens in an equitable manner within one’s department. Department members, especially hiring committees should make themselves aware of the child and other family care benefits available through human resources or work-life offices on campus. In addition, recommendations can be made to these institutional offices based on the needs of employees and for the purposes of faculty retention and hiring. It is recommended that the appropriate institutional offices be made aware of Colleges and Universities Work Family Association (CUWFA). This network shares information and resources on how to offer better work-life policies.

The tenure clock

For pre-tenure faculty, family and career conflicts tend to “occur just when the research and publication demands of the tenure process are most onerous, and when many faculty members have responsibilities for infants and young children.”¹⁵ Institutions should allow for flexibility in the tenure clock for faculty members providing primary care to a newborn, newly adopted child, or a child, partner, or parent who suffers an acute medical crisis or needs transitional care.

A number of institutions have currently created policies that automatically provide female and male faculty alike with a one year tenure-track extension for the birth or adoption of a child. We recommend automatic extensions. Offering the provision to both men and women reduces the

¹³ “Statement of Principles on Family Responsibility,” Association of University Professors, (November, 2001).

¹⁴ Ibid.

¹⁵ Ibid.

assumption of tenure clock extensions creating a “mommy track”. However, any faculty member, male or female, can turn down the extension. In the event such an extension is granted, the candidate should be judged by the same standards as someone who has not extended their clock. Thus, “institutions should guard against imposing greater demands on a faculty tenure candidate as a consequence of his or her having extended the absolute time from the year of appointment to the year of tenure review.”¹⁶

We recommend adopting a clear definition of “primary caregiver” to reduce the risk of abuse of tenure clock extensions. Harvard Law School uses the following definition: any faculty member who is “the sole caretaker of his or her newborn or newly adopted child at least 20 hours per week, from Monday through Friday, between the hours of 9 a.m. and 5 p.m.” can qualify.¹⁷

Extended paid leave

Thirty-six percent of higher education institutions offer only the federally-mandated unpaid Family Medical Leave Act benefit. Most paid parental leave policies are found in “elite, private schools” with around fifty-one percent offering paid leave. Thirty-four percent of private schools offer some form of paid leave, while only eighteen percent of state schools offer paid leave. Overall, twenty-six percent of higher education institutions “offer some paid leave above a six-week maternity leave – either women-only or both-eligible.” For the most part, schools provide full relief of duties and expect no research during leave – except for elite schools, where paid leaves require some level of departmental duties and research is expected to continue.¹⁸

Paid leave should be available to those who choose to care for a family member (child, spouse, or parent) with a serious health condition, or for self-care needed because of an employee's own serious health condition. In this way, paid leave policies simply extend the Family Medical Leave Act (FMLA) intentions with increased benefits to all necessary categories of family caregiving and prevent discrimination. Paid leaves can range from full pay for half of the FMLA twelve-week standard (six weeks paid, six unpaid) to up to a semester or year depending on institutional need and financial ability.

Emergency care and other short-term leave

We recommend departments and individual faculty become aware of the various kinds of unpaid leaves to address family emergencies beyond the traditional circumstances of giving birth, adopting, or providing long-term dependent care. Many employers allow employees to extend sick leave benefits during leaves to include care for an ill family member.

Childcare and Other Family Care

Many institutions may already or should be encouraged to provide flexible spending accounts as an employee benefit. These spending accounts shelter up to \$5000 of pre-tax salary monies for dependent care or \$3000 for medical care expenses.

¹⁶ Ibid.

¹⁷ Williams, Joan C., “Are Your Parental-Leave Policies Legal?” *The Chronicle of Higher Education*, 51:23, C1, February 11, 2005.

¹⁸ Yoest, Charmaine, “Parental Leave in the Academia,” *The Family, Gender, and Tenure Project*, University of Virginia (2004), <http://www.people.virginia.edu/~ccy2c/institutional%20report.pdf>.

In addition to or independent of that benefit, many higher education institutions can offer subsidized childcare options or preferential slots at on-campus childcare facilities or affiliated facilities within the city or town. Work/Life (or human resources) offices often work to create a network of area providers accredited and licensed by the state as a resource to employees seeking childcare options other than center-based facilities.

In addition, institutions working toward a family-friendly work environment should seek to design back-up care or emergency care options at their centers, through homecare provider networks or using a voucher system. Subsidies and vouchers should be provided based on size of household and income.

Institutions should offer the same subsidies, offer preferential admittance, or create affiliated networks for elder care or dependent (physical or mental disability) care. Such care-giving responsibilities often fall primarily to mid-career or senior faculty members and are not usually recognized under policy guidelines because it is assumed that these faculty do not have “care” duties because they do not have young children.

FEDERAL REGULATIONS

There are two main federal laws that govern sex discrimination, dependent care, and disability leaves. The federal and state laws provide minimum requirements. The federal laws are worth noting since, “one in three academic institutions have parental-leave policies that violate federal anti-discrimination law.”¹⁹ We encourage departments to carefully scrutinize their institutions’ adherence to the following Federal regulations

The **Pregnancy Discrimination Act**²⁰ is an amendment to Title VII of the Civil Rights Act of 1964. Discrimination on the basis of pregnancy, childbirth or related medical conditions constitutes unlawful sex discrimination under Title VII. Women affected by pregnancy or related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.²¹

This legislation also provides reference for **Disability Leaves** for pregnancy-related conditions. Disability leaves must be equal for men and women. In other words, “employers cannot legally place arbitrary six- or eight-week limits, require stricter notification periods, or offer less pay and less teaching relief for pregnancy than for other temporarily disabling conditions. In short, the key to designing a good childbirth-leave plan is to treat pregnancy the same as any other temporary disability both in terms of written policy and in terms of practice.”²²

The **Family Medical Leave Act of 1993**²³ allows employees to take job-protected, unpaid leave for up to a total of 12 work weeks in response to the birth or adoption of a child, to care for a newborn child, to care for a

¹⁹ Williams, Joan C., “Are Your Parental-Leave Policies Legal?” *The Chronicle of Higher Education*, 51:23, C1, February 11, 2005.

²⁰ Title VII Civil Rights Act, 29 Code of Federal Regulations, Title 29, Chapter XIV, Part 1604.10, http://www.access.gpo.gov/nara/cfr/waisidx_02/29cfr1604_02.html.

²¹ “Facts about Pregnancy Discrimination,” The U.S. Equal Employment Opportunity Commission, (2004).

²² Williams, Joan C., “Are Your Parental-Leave Policies Legal?” *The Chronicle of Higher Education*, 51:23, C1, February 11, 2005.

²³ The Family and Medical Leave Act of 1993 (Public Law 103-3), Code of Federal Regulations Pertaining to ESA, Title 29 Labor, Chapter V Wage and Hour Division, Department of Labor, Part 825.

family member (child, spouse, or parent) with a serious health condition, or procure the care needed because of an employee's own serious health condition.

The federal laws suggest policy regulations that seek to serve the majority of persons across professions. For many, pregnancy is not a “disability”; for many childbirth is much less medically disabling than experiencing surgery, a broken bone, or treatment for a long-term illness. The federal regulations should be seen as a minimum standard and automatic right. One has the right to take less time, but departments and institutions should also be aware that policies offering more time with modified duties can in fact be more helpful.

SUMMARY

As the SCE Women’s Caucus, we are interested in the development of our field, encouraging new and deeper scholarship, as well as being attentive to larger justice claims. Given the data on how family-friendly policies, or lack thereof, directly affect the diversity of our academic departments and the availability of our members' time for scholarly growth, we recommend the above creative practices.

The guidelines and policies proposed fall within three different categories and raise unique opportunities to tailor family-friendly policies to institutional and departmental characteristics. Notwithstanding some individualizing of policies, all institutions should at minimum follow federal regulations for anti-discrimination and leave policies. Most of these options should be available to all staff, graduate and postdoctoral students, as well as faculty where appropriate.

We acknowledge that implementing family-friendly policies within a department or institution is beyond the reach of an academic society. However, the collation and promotion of creative practices as standards by which the SCE’s membership can foster growth and encourage diversity within our field directly relates to the on-going fulfillment of our mission.