Domestic Partnership Policy

Kalamazoo College has adopted a policy extending certain benefits to the Domestic Partners of its employees effective October 1, 1998. This is in an attempt to try to equalize employment benefits between married couples and couples who are not married, either through choice or because they are barred from marriage, as in the case of lesbian or gay male couples.

Medical coverage through Priority Health Plan has been extended to domestic partners. Coverage will also be available for the children of domestic partners provided that they meet the Plan definition of a qualified dependent.

Tuition Remission Benefits have been extended to the children of domestic partners provided that the employee meets all of the eligibility requirements for the benefit and that the children are claimed as the employee’s IRS dependents or could be claimed as the employee’s IRS dependents if the employee and his or her partner were legally married. Kalamazoo College will honor requests for tuition remission through the end of the academic year in which the child reaches age 25.

Under current tax regulations, Kalamazoo College may be required by the IRS to report as taxable income, the premium value related to covering domestic partners and their children under the medical plan. Since the children of domestic partners do not meet the definition of the children of spouses for the purposes of the IRS Code, the value of educational benefits received under the College’s tuition remission plan will be includible in the gross income of the employee. If you have questions regarding your tax status you may want to contact a qualified tax advisor or accountant.

Domestic Partnership Information

For the purpose of Kalamazoo College medical insurance and tuition remission benefits, “domestic partnership” shall exist between two persons regardless of their gender and each of them shall be the “domestic partner” of the other if they both complete, sign and file with the Human Resources Department the “Affidavit of Domestic Partnership” which includes the following statements:

a. the two parties reside together, have done so for at least six months, and intend to reside together indefinitely and share the common necessities of life;

b. the two parties are subject to the same 30-day “window” periods governing all other employees who are covered by or applying for health plan coverage.

c. the two parties are: not married, eighteen (18) years or older, not related by blood closer than would bar marriage in the State of Michigan, and mentally competent to consent to contract;

d. the two parties declare that they are each other’s sole domestic partner and they are responsible for their common welfare;

e. the two parties agree to notify the College if there is any change in the circumstance attested to in the affidavit.
f. the two parties affirm, under penalty of perjury, that the assertions in the affidavit are true to the best of their knowledge.

g. the two parties understand that willful falsification of information on this affidavit may lead to disciplinary action of the employee, up to and including discharge from employment.

A member of a domestic partnership may end said relationship by filing a “Termination of Domestic Partnership” with the Human Resources Department. In the statement the individual filing must affirm, under penalty of perjury that: 1) the partnership is terminated, and 2) a copy of the termination statement will be mailed to the other partner unless both have signed the termination statement.

No individual who has filed an Affidavit of Domestic Partnership may file another such affidavit until one year after a statement of termination of the previous partnership has been filed with the Human Resources Department.

Any person, employer or company who suffer any loss because of a false statement contained in an Affidavit of Domestic Partnership or failure to notify the employee of changed circumstances may bring a civil action to recover their losses, including reasonable attorney’s fees.

Signing the Affidavit of Domestic Partnership and completing the necessary enrollment forms will grant the above benefits to employees with domestic partners. If you have questions regarding the potential legal effects of signing the Affidavit of Domestic Partnership, you may want to consult an attorney. For other questions, please call the Human Resources Department at 337-7223.