

Senate Resolution
2016-2017-07

Faculty Senate Bill No. 401

Preapproved Language for Faculty Handbook concerning

- 1) Modified Duties for Faculty and,
- 2) Extension of the Tenure Clock

Submitted as an Emergency Bill – Faculty Senate February 16, 2017

Whereas the UAH President and UA System Office of Counsel have delayed the review and Board of Trustee approval of several Chapters of the UAH Faculty Handbook, and

Whereas this inaction has caused a delay in the review and submission of following Chapters, and

Whereas the Modified Duties for Faculty and Extension of the Tenure Clock rights and responsibilities of Faculty need to be updated and expanded, **Therefore**,

Be it resolved that the UAH Senate approve the following language for inclusion in the UAH Faculty Handbook, and

Be it further resolved that the following language may be implemented into an interim policy form, to be withdrawn within a year from the date of faculty approval or when the relevant Chapters of the UAH Faculty Handbook are approved.

Extension of the Tenure Clock

Purpose To provide additional flexibility for tenure-track faculty members and to acknowledge that anticipated or unanticipated life events may hinder faculty members from fully demonstrating their professional qualifications for tenure within the normal probationary period.

Policy Full-time tenure-track faculty members are eligible for an extension of the maximum probationary period of up to two years. Maximum probationary period may not exceed nine years.

Procedures

I. Eligibility

All full-time tenure-track faculty members who have been reappointed for the following year. Eligibility begins on date of hire.

II. Procedures

The notification/request for extension of the tenure clock is submitted to the Department Chair, Dean and Associate Provost for their review. For automatic cases, the notification is acknowledged and a letter is sent to the faculty member granting an extension of the tenure clock. For cases where extensions of the tenure clock are requested, each level of review must approve or disapprove the request and send the request forward to the next entity to review. The Associate Provost sends a letter to the faculty member notifying the faculty member as to whether the request for an extension to the tenure clock has been approved. If the request has not been approved, then the faculty member may appeal the decision to the Provost.

(a) Option A: Automatic one-year extension of maximum probationary period

- In cases of birth or adoption of child
- Notification and documentation **required***

(b) Option B: Requested one-year extension of maximum probationary period

- In cases of serious illness of self or close family member; death of a close family member; or other relevant circumstances
- Request, justification, and documentation **required***

(c) Option C: Provost approved one- to two-year extension of maximum probationary period

- In exceptional circumstances as deemed appropriate and necessary

(d) Basic Principles

- Notification or request for tenure clock extension must be within 12 months of event.
- The maximum probationary period may not be extended more than two times.
- Faculty may still be considered for tenure prior to the penultimate year and not be considered as an early request for tenure.
- Faculty with tenure clock extensions are evaluated as if their probationary period were the normal length.
- Faculty may appeal a denial of a requested extension to the Provost.

*Letters of request and certification documents should not include any specific information regarding medical history of the faculty member or a family member, including specific manifestation of diseases and disorders.

Modified Duties for Faculty

Purpose To provide full-time faculty with some relief from academic duties and the opportunity to respond to anticipated or unanticipated life events or situations when needed.

Policy Full-time faculty members are eligible for a modified duties semester, which may occur during the fall or spring semester of an academic year. During the modified duties semester, the faculty member is expected to fulfill student research advising and other research responsibilities.

The use of the modified duties policy obligates the recipient to serve as a member of the university faculty for at least one year following the completion of the leave, or to reimburse the university for all salary paid during the modified duties period.

Procedures

I. Eligibility

All full-time tenured, tenure-track, clinical, or research faculty members of either gender. Eligibility begins on date of hire.

II. Procedures

The notification/request for modified duties is submitted to the Department Chair, Dean, and Associate Provost for their review. For automatic cases, the notification is acknowledged and a letter is sent to the faculty member granting the modified duties. For cases where modified duties are requested, each level of review must approve or disapprove and send the letter forward to the next entity to review. A letter is sent to the faculty member notifying the faculty member as to whether the request for modified duties has been approved. If the request has not been approved, then the faculty member may appeal the decision to the Provost.

(a) Option A: Automatic in cases of childbirth or adoption

- Notification using Modified Duties Semester form and documentation **required***
- Birth/adoptive mother or primary caregiver is released from onsite duties such as classroom teaching, clinical field placement, teaching, or clinical laboratory duties, on-site librarian duties, student advising and committee work.
- Not required to take modified duties

(b) **Option B: Requested in other circumstances**

- Request, justification, and documentation **required***
- Modified duties defined in consultation and in writing with academic unit head with the expectation that the needs of the faculty member will be met.

(c) **Basic Principles**

- Modified duties designed to provide sufficient time and flexibility for faculty to respond to his/her personal or family circumstances as necessary.
- Modified duties must be concluded within 12 months of the life event. Typically, the faculty member will be released from teaching duties in the fall or spring semester within which the life event occurs (when known ahead of time) or in the fall or spring semester following the event, if appropriate. Faculty members are still eligible if life events occur during summer months.
- Faculty members are not required to "bank" duties: courses, advising, committee work, etc.
- Unit should provide reasonable resources to facilitate modified duties.
- Faculty should notify the Department Chair or Dean as appropriate four months prior to modified semester, or as early as possible.
- Faculty should not be penalized for using this policy.
- Faculty may appeal denial of modified duties semester request to the Provost.
- Policy does not replace FMLA, other leave or long-term disability.

*Letters of request and certification documents should not include any specific information regarding medical history of the faculty member or a family member, including specific manifestation of diseases and disorders.