

Procedures for Modified Duties for Faculty Due to Life Events Policy

PURPOSE

To establish methods for implementing the [Modified Duties for Faculty Due to Life Events](#) policy.

PROCEDURES

A. Modified Duties Related to the Birth or Adoption of a Child

In the case of the birth or adoption of a child, a full-time faculty member will be automatically eligible for the equivalent of one semester of modified duties upon return from an approved medical leave (or waiving of that entitlement) and upon the submission of the appropriate documentation and plan for modified duties.

1. The faculty member providing notification of a qualifying event must submit the Modified Duties Request form with documentation of the birth/adoption and a proposal for modified duties to Human Resources. After HR qualifies the event, the details of the proposed modified duties should be defined in consultation with, and approved by, the department head and dean. The modified duties should provide sufficient time and flexibility for the faculty member to respond to their personal or family circumstances as necessary. If the faculty member does not follow this formal process, their academic duties and responsibilities remain unchanged. Faculty members may not modify their duties due to Life Events outside of this process.
2. The modified duties will be defined as follows:
 - a. Modified Duties for Birth/Adoptive Parent or Primary Caregiver

If the faculty member is the birth/adoptive parent or the primary caregiver of the child, the faculty member is eligible for release from onsite duties such as classroom teaching; clinical field placement, or clinical laboratory duties for one semester or the equivalent distributed over a longer period up to 12 months. Additionally, the faculty member's departmental or administrative committee work and undergraduate advising duties may be modified to suit the needs of the individual and the unit. Faculty responsibilities as noted in their workload assignment for research, scholarship, and professional service that do not require onsite activities will remain unchanged.

Alternative duties must be assigned in lieu of onsite duties where applicable. Examples of alternative duties include research, scholarship, professional service, or the development of curriculum and/or course materials, accreditation and/or certification materials, departmental operation manuals, communication materials, undergraduate or graduate student recruitment materials, etc.

- b. Modified Duties for Birth/Adoption for Secondary Caregiver

If the faculty member is the birth/adoptive parent or the secondary caregiver, then the modified duties will be defined in consultation with the unit head. Modified duties may include partial or complete release from teaching or other onsite duties, or partial or complete release from other responsibilities for one semester or the equivalent over a longer period up to 12 months.

Alternative duties must be assigned in lieu of onsite duties where applicable. Examples of alternative duties include additional research, scholarship, professional service, or the development of curriculum and/or course materials, accreditation and/or certification materials, departmental operation manuals, communication materials, undergraduate or graduate student recruitment materials, etc.

3. The faculty member is not required to “bank” or teach additional courses, to serve on additional committees or advise additional undergraduate students in other semesters outside of the modified duty period to receive this benefit.
4. As noted above, following the birth/adoption of a child and the submission of a Modified Duties Request form, the faculty member will be approved for the benefits under this policy upon returning to work. However, in collaboration, the faculty member and their department head or Associate Dean in non-departmentalized schools, and dean should determine the most appropriate modified duties to suit the faculty member’s needs and the department’s circumstances.

B. Modified Duties in All Other Circumstances

A full-time faculty member may request one semester of modified duties or the equivalent over a longer period not to exceed 12 months in response to special personal or family circumstances or other unexpected life challenges that require the faculty member to be off campus during his/her usual teaching or laboratory hours. As noted above, this policy does not supersede or replace other employee entitlements, such as FMLA, the Faculty Medical Leave Guidelines, ADA, personal leave, or short-term leaves under the *By-Laws*. Instead, this benefit is available upon a faculty member’s return to on-campus activities following such a leave or when modified duties fully resolve the issue or supplement existing entitlements. Qualifying Events are noted in the Policy.

1. The faculty member requesting modified duties must submit the Modified Duties Request Form with justification for the request, appropriate documentation, and a suggested proposal for the modified duties.
2. Details of the modified duties should be outlined and approved in consultation with the department head or associate dean in non-departmental schools, and the Dean. The modified duties should provide sufficient time and flexibility for the faculty member to respond to his/her personal or family circumstances as necessary.

Alternative modified duties must be assigned in lieu of onsite duties, where applicable. Examples of modified duties include research, scholarship, professional service, or the

development of curriculum and/or course materials, accreditation and/or certification materials, departmental operation manuals, communication materials, undergraduate or graduate student recruitment materials, etc.

C. General Procedures

1. In all cases, the spirit of the modified duties must be to satisfy the needs of the faculty member within the institutional ability to grant relief. The specific modified duties must be mutually agreed upon in writing by the faculty member and the department head or associate dean in non-departmentalized Schools and/or Dean. A copy of this agreement must be included with the Modified Duties Request form and maintained.
2. The unit should make an effort to provide the necessary equipment to facilitate these modified duties as appropriate and feasible.
3. The faculty member receives pay and benefits during the period approved for modified duties, in accordance with expended effort, as agreed upon by the faculty member and head. In some circumstances, the faculty member's use of paid leave entitlements may mean they are paid a full-time equivalency while working part-time with modified duties see point 4 below.
4. If the faculty member's circumstances require the partial or complete release from duties during this period, rather than a modification, the faculty member must pursue paid or unpaid leave or long-term disability, or take a voluntary schedule reduction through Human Resources, as appropriate and applicable.
5. Timing
 - a. Department heads or the associate dean in non-departmentalized Schools should be alerted as soon as possible about a potential need for modified duties due to a life event. The Modified Duties Request form should normally be submitted at least four months before the start of the proposed modification or as soon as possible when it is less than four months.
 - b. The modified duties semester may occur during the fall or spring semester of a given academic year. Alternatively, the equivalent of one semester of modified duties, including teaching relief when applicable, may be extended over a period not to exceed 12 months.
 - c. In the cases of birth or adoption, the modified duties must be concluded within the twelve-month period following the birth or adoption. A faculty member is eligible for "modified duties" even if the birth or adoption occurs during the summer months (May to August). If both parents are full-time faculty members employed by the University, they are both eligible for automatic modified duties following the birth or adoption of a child. The two modified duties periods, with one person being the primary caregiver and the other the secondary caregiver, may be taken either simultaneously or consecutively, depending on the needs of the individuals and the unit(s).

However, in most cases, if both parents are full-time faculty members employed in the same unit at the University, the two faculty members would not take their modified duties simultaneously.

D. Eligibility

All full-time tenured, tenure-track, clinical or research faculty members, instructors, and lecturers of either gender are eligible for modified duties. Eligibility begins 60 days following the date of hire. The following employee titles (or Articles) covered by the AAUP are excluded from this policy: Academic Assistants (Article 13), Facilities Scientists (Article 13), Research Assistants (Article 24), Research Associates (Article 24), Temporary Faculty (Article 26), and Athletics' titles (Article 37).

In cases of childbirth or adoption, eligible faculty members are entitled to the equivalent of one "modified duties" per event, if they attest that they are primary or secondary caregivers of the child(ren). The University reserves the right to revoke modified duties status or make other adjustments to duties as appropriate if this statement is proven false.

E. Tenure-Track Faculty

The University will not penalize tenure-track faculty members for using the benefits under this policy.

1. Tenure Review

The receipt of one or more periods of automatic or approved modified duties should not reflect negatively on the faculty member's evaluation during their tenure review.

2. Tenure Progress Review and Tenure Clock Extension

Under Article 19.6.I of the AAUP contract dated July 1, 2017, tenure-track faculty members receive an automatic one-year extension of the tenure clock when they experience a qualifying major life event, whether they take a Family and Medical Leave or not. Please refer to [Tenure Clock Adjustments for Qualifying Life Events](#) for more information.

Additionally, when a tenure clock extension is granted prior to completion of the tenure progress review, the timeline of the tenure progress review (mid-tenure review) is extended for the same.

Separate processes are required to request modified duties and to request a tenure clock extension. Approval of one does not include approval of the other.

F. Review and Approval Process

All notifications and requests for modified duties must be submitted on the [Modified Duties Request Form](#) through Human Resources with requested documentation and forwarded through the appropriate chain of approval as outlined below. The approval of modified duties is a two-step process: (1) Human Resources determines that the life event qualifies under this policy; and (2) the Department Head, Dean, or other appropriate academic leader reviews and approves the proposal for modified duties.

When presented with an anticipated or unanticipated life event, faculty members should contact Human Resources to discuss the event and any entitlements available to the faculty member. Human Resources will review the circumstances with the faculty member and, as appropriate, recommend using this policy. Once HR determines that the life event qualifies under this policy, Human Resources will engage the faculty member and their respective department head, who will review the proposed modified duties.

The forms must be reviewed and approved by the faculty member's department or associate dean in non-departmentalized schools and the college/school dean.

G. Notification and Records

The college/school dean (or designee) will be responsible for communicating the decision or result of the proposed modified duties to the faculty member, the department head, the campus dean (if appropriate), the provost, and all others in the supervisory chain of approval. These offices will also keep a record of all modified duties semester approvals and denials and forward copies of the signed modified duties agreement to HR for the official personnel file.

The department head or associate dean in non-departmentalized schools will be responsible for maintaining the official record of any changes to faculty member workload assignments. These changes will be monitored by the Dean's Office, Provost's Office, and HR.

When applicable, the faculty member will be responsible for placing a copy of the completed form and any accompanying documentation in their tenure and promotion file.

H. Denials and Appeals

Requests under this policy that HR deems not applicable or ineligible are not subject to further review, grievance, or appeal.

If, after HR deems the life event applicable to this policy, the proposal for modified duties is ultimately denied or an agreement cannot be reached regarding the determination of the modified duties, the faculty member may submit a written letter of appeal to the Provost and Executive Vice President for Academic Affairs for review and final decision. The written appeal must be submitted within ten (10) working days of the date of denial. After receipt of the appeal, the provost must reply within 20 working days. The decision of the provost shall be the final decision of the University.