

Change #1, Section XII, p. 103 of the 2010-2011 Handbook

Rationale: In response to the COACHE survey and discussion sessions, probationary faculty members indicated that they were unclear about how FMLA affected the completion of the probationary period. The current section states that FMLA has no effect, which is true UNLESS the faculty member requests the extension. This change clearly communicates to faculty that such a request will be entertained by the Provost and sets the maximum 2 year limit for delaying the tenure review.

b. Family and Medical Leave

- 1) The University, in accordance with the federal Family and Medical Leave Act, grants Family and Medical Leave to eligible full time faculty members for up to 12 weeks in the period from August 1 to July 31. Although federal law does not require that the University provide full pay and benefits, the University may choose to grant full pay and benefits during the period of Family and Medical Leave. Pursuant to federal law, Family and Medical Leave is used for the birth of a child or placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse, or parent) with a serious health condition, or because the employee's own serious health condition makes him or her unable to do his or her job. However, when an employee is taking Sick Leave with Full Pay and Benefits (described above), the employee is not entitled to Family and Medical Leave. The use of Family and Medical Leave has no effect on matters of retention, promotion, or completion of the probationary period of service **except as provided in (2) below.**
  
- 2) A faculty member requesting Family and Medical Leave submits such a request to the Provost at the earliest possible time and provides such documentation as may be required by the University. **The faculty member may include in the request that the probationary period of service be extended by a year and that a new review schedule to be set. Such arrangements must be determined by the Provost, who will normally seek input from the faculty member's Chair and Dean. Mandatory tenure review may not be delayed by the faculty member for more than two years under this policy.** If approved by Provost, the appropriate academic dean then creates contingency plans to assure that all assigned classes and other pertinent responsibilities of the requesting faculty member are met as scheduled and forwards this information to the Provost.