

UNIVERSITY OF  
**NORTHERN COLORADO**

**BOARD OF TRUSTEES AGENDA ITEM**

Meeting Date: June 12, 2020

Action Item     Discussion Item     Information Item

<b>Name of Item:</b>	<b>Board Policy Manual Amendment – Section 2-3-902(3)(b) (Tenure Clock Extension)</b>
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Responsible Staff Member: Dan Satriana

**Summary of Issue:** Recommend approval of amendments to tenure clock extension provisions to clarify the circumstances for which a faculty person may request a tenure clock extension and to allow an extension for "force majeure events."

Recommended Action by BOT:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Action Needed
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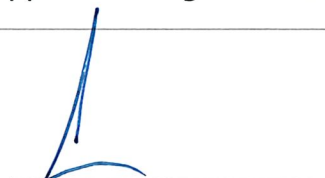
Change to Board Policy Manual:	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> No Action Needed
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If yes, Section: 2-3-902(3)(b)
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<b>Administrative Recommendation (Motion):</b> Approve change to Board Policy Manual
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\_\_\_\_\_  
Signature of Vice President

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of President

  
\_\_\_\_\_  
Date

SENATE ACTION FORM

No. 1185

Subject: Tenure Clock Extension Revision to Board Policy 2-3-902(3)(b)

Reference to Senate Minutes dated: 04/13/2020

Senate Action:

MOTION: Approve the revisions to the Tenure Clock Extension policy as presented.

VOTE: Approved by voice vote.

Response requested:

- Approval for placement in University Catalog
- Approval for placement in University Regulations
- Recommendation to Board for placement in Board Policy Manual
- None (sent as information item)
- Other action requested/comments:

*Stan Luger*

Faculty Senate Chair

04/14/2020

Date

\* \* \* \* \*

Administrative review of Senate action (unnecessary for information items):

Reviewed by VPAA/Provost. Check  if comments attached *Mark R. Anderson*

Reviewed by General Counsel. Check  if comments attached *DNS to 5/18/20 recommend approval*

Presidential action:

Approve  Reject  Return to Senate for discussion/modification (comments attached)

*L*

05/20/2020

President/Designated Administrative Officer

Date

Date of Board approval (if applicable): \_\_\_\_\_

Attachment to Senate Action #1185  
Approved by the Faculty Senate  
April 13, 2020

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Remove Current Policy from Board Policy (see strikethroughs)

~~2-3-902(3) (b) Tenure Clock Extension. A tenure track member of the faculty shall be eligible for an extension of the tenure probationary period for life events that can be expected to markedly delay the ability to meet the requirements for tenure. A maximum of two (2) separate extensions of the tenure probationary period will be granted.~~

~~As described below, each extension will be for one (1) year. When an extension to the tenure clock occurs, the total body of the work required for tenure shall be no different from the case in which no stoppage of the tenure clock occurred. Life events that can be expected to markedly delay the ability to meet the requirements for tenure are:~~

- ~~(i) a child is born or adopted into the faculty member's household; each parent in the household is eligible.~~
- ~~(ii) by reason of a serious health condition (as defined in the Family and Medical Leave Act) persisting for a substantial portion of a semester, the faculty member is required to act as the primary caregiver for a parent, child, spouse, or domestic partner.~~
- ~~(iii) by reason of a serious health condition (as defined in the Family and Medical Leave Act) persisting for a substantial portion of the period for which the extension is sought, the faculty member is unable to perform the functions of her or his position.~~
- ~~(iv) by reason of death of a parent, child, spouse, or domestic partner.~~
- ~~(v) by reason of a catastrophic residential property loss; each faculty employee in the Household is eligible.~~

~~Notification of the intent to take an extension under the terms of this policy, as stated above, shall be made in writing and sent to the chair/director. When a request for extension is based on either 2-3-902(3)(b)(ii) or 2-3-902(3)(b)(iii), the request should be submitted to the Director of Human Resources and the chair/director notified that an FMLA request has been submitted. The Director of Human Resources will forward the results of said request to the Chair/Director who will consider the results of the FMLA application in their decision. The chair/director who, noting any reasons to believe that the notification is based on illegitimate grounds, shall forward to the dean who, noting any reasons to believe that the notification is based on illegitimate grounds, shall forward to the Chief Academic Officer (CAO). Unless the Chief Academic Officer (CAO) finds compelling reasons to disallow the extension, the extension shall occur. The chair/director, dean, and Chief Academic Officer (CAO) shall each have ten (10) working days in which to complete his/her role in the process. Notification of the intent to take an extension shall be made within three (3) months of the onset of the life event, or as soon as practicable once the situation has been identified.~~

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Replace with the Newly Approved Version (see highlights)

**2-3-902(3) (b) Tenure Clock Extension.** A tenure-track faculty member shall be eligible for an extension of the tenure probationary period for events that may markedly delay the ability to meet the requirements for tenure.

- (i) A maximum of two (2) separate extensions of the tenure probationary period shall be granted for reasons described in subsections (ii)(A) through (ii)(E), below. Any tenure clock extension granted for the reason described in subsection (ii)(F), below shall be in addition to the two (2) separate extensions limit stated in the immediately preceding sentence.
- (ii) Each extension shall be for a one (1) year period. When an extension to the tenure clock occurs, the total body of the work required for tenure shall not change because of the extension. Notification of the intent to take an extension shall be made by the faculty member within thirty (30) days of the event, or as soon as practicable once the event has been identified given the facts and circumstances in the individual case which, in most cases, should be the same day the faculty member becomes aware of the need for an extension or the next business day thereafter. Events that may markedly delay the ability to meet the requirements for tenure are:
  - (A) A serious health condition as defined in the Family and Medical Leave Act (FMLA) of a parent, child, spouse or domestic partner that persists for a substantial portion of the period for which the extension is sought, and the faculty member is required to act as the primary caregiver for that person;
  - (B) A serious health condition as defined in the FMLA of the faculty member that persists for a substantial portion of the period for which the extension is sought and renders the faculty member unable to perform the functions of their position;
  - (C) The birth or adoption of a child into the faculty member's household (and in such case each parent in the household who is tenure-track faculty is eligible for an extension;)
  - (D) The death of a parent, child, spouse or domestic partner of the faculty member;
  - (E) A catastrophic residential property loss of the faculty member (and in such case each tenure-track faculty member in the household is eligible for an extension;)
  - (F) A complete or partial campus closure caused by a "force majeure event" (defined as a war, fire, flood, epidemic, pandemic, accident, government regulation or other occurrence beyond the control of the University.)
- (iii) Notification of the intent to take an extension for the reasons described in subsections (ii)(A) and (ii)(B), above, shall be submitted in writing by the faculty member to the Director of Human Resources, who shall notify the chair/director that a tenure clock extension notification under the FMLA has been submitted. Notification of the intent to take an extension for the reasons

described in subsections (ii)(C) through (ii)(F), above, shall be submitted in writing by the faculty member to the chair/director.

(iv) In all cases, the chair/director shall forward the notification to the dean and shall state the reason(s), if any, that the chair/director believes the notification is not proper under the provisions of this policy. The dean shall forward the notification to the Chief Academic Officer (CAO) and shall state the reason(s), if any, that the dean believes the notification is not proper under the provisions of this policy. Unless the CAO determines that the notification is not proper under the provisions of this policy, the extension shall be given. The chair/director, dean, and CAO shall each have ten (10) working days in which to complete their responsibilities under this policy as described in subsection (iv).