



Boulder Campus Policy on Adjustments to the Tenure Clock¹

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This memo describes campus policy regarding the circumstances and conditions under which adjustments to the tenure-track probationary period (the "tenure clock") can be made. This description attempts to describe the administrative practices of the Boulder campus that have been in place for some time, and to highlight some recent changes to campus practice. These changes are the result of discussions between the Provost and the Council of Deans in the fall of 1998. The changes were intended to clarify conditions which constitute grounds for adjusting the probationary period, who the campus authority is for making certain decisions related to the probationary period, and to provide equitable treatment of faculty across colleges and schools.

Definition: In this memo the term "Tenure Clock" refers to the seven year probationary period between when a new assistant professor begins his/her appointment and when the mandatory tenure decision is made. In an assistant professor's professional career, this probationary period is counted in one year increments, beginning each fall semester. Regent's Rules do not allow a probationary period longer than seven years (see <http://www.cusys.edu/~policies/Personnel/implemtenure.html>), hence any legitimate reason for extending the time prior to a tenure decision requires that one or more semesters of service not be counted against the probationary period; that is, the "clock must be stopped" for that period.

Automatic Justifications for Stopping the Clock

Sick Leave can be grounds for stopping the tenure clock. Deans may authorize sick leave according to University policies. When sick leave is granted to a probationary faculty member, the faculty member MUST STATE IN WRITING whether or not s/he wishes for the leave to stop the tenure clock. The default position is that such leave will stop the clock whenever the leave is for a significant portion of a semester. Faculty members who elect to take a qualifying leave and choose not to have their tenure clock stopped may change their mind within six months of returning from leave. Faculty exercising this option must notify their dean in writing within the six month period. Leaves of one semester in length stop the clock for one academic year, as tenure reviews commence only during the fall semester of each year. A sick leave accompanied by a request to stop the clock may be approved by the dean, who will inform the faculty member in writing that the clock has or has not been stopped. The Dean's Office also submits a copy of the approval of leave, accompanied by a written declaration of whether or not the clock is stopped, to the Office of Faculty Affairs, which maintains faculty personnel records.

For an illness to qualify as a reason to stop the tenure clock, it must be accompanied by utilization of sick leave. Utilization of earned sick leave is the standard by which the campus determines that the illness represents a significant disruption to job performance. By continuing to draw full salary during an illness, faculty members accept compensation for services rendered and in doing so implicitly certify to the institution that they are fulfilling the teaching, research, and service obligations for which they are being paid. While the University reserves the right to require a faculty member to utilize sick leave when in its judgement the faculty member cannot meet his or her obligations, in many cases the choice of utilizing earned sick leave is left to the decision of the faculty member at the time of their illness or their decision to render parental or

¹ derived from and a replacement for a policy statement on leaves from Faculty Affairs to deans, chairs, and directors dated November 3, 1998

family care. The campus then uses utilization of sick leave as the criterion to distinguish serious illness situations for which the tenure clock should be stopped from less disruptive circumstances that do not justify extending the probationary period.

Parental leave can also be grounds for dean's approval for stopping the tenure clock. University policy on parental leave describe two types of leave accommodation that can impact the tenure clock: Standard Child-care Leave for Regular Faculty, and Negotiated Child-care Leave for Regular Faculty.

Standard Child-care Leave assigns to full-time faculty the entitlement to use accrued sick leave to provide primary care for the faculty member's child within twelve months of the birth or adoption of the child. Faculty with twelve-month appointments are also entitled to use their accrued vacation leave along with accrued sick leave for child-care leave. Standard child-care leave will stop the tenure clock, although faculty members have to option not to stop their tenure clock. Faculty members who elect to take a qualifying leave and choose not to have their tenure clock stopped may change their mind within six months of returning from leave. Faculty exercising this option must notify their dean in writing within the six month period. Faculty contemplating the use of parental leave should consult the University policy. The URL for the University policy is <http://www.Colorado.EDU/facultyaffairs/deskref/part7.html>.

Discretionary Reasons for Adjusting the Tenure Clock

Leaves Without Pay : Faculty may request to take a leave without pay (LWOP) during their tenure probationary period. Granting of LWOP is a discretionary decision of the Provost. Reasons for LWOP may be related to full-time pursuit of scholarly or creative work opportunities at national labs, government, or private sector facilities. Other reasons may be related to the need to attend to personal or family matters that either are not covered under sick and parental leave policies, or activities for which a faculty member does not wish to expend accrued sick leave benefits, and during which time the faculty member will not or be unable to pursue their scholarly or creative projects. In general, LWOP that is granted for circumstances during which time scholarly or creative projects will not be pursued may be, at the discretion of the dean or Provost, the basis for stopping the tenure clock. In almost all other cases, particularly cases where scholarship will be part of the leave activities, the LWOP will not be approved as a basis for stopping the tenure clock. Requests for LWOP must be made to the chair or dean in writing, and must address the issue of scholarly work and the tenure clock.

Delaying the Start of the Clock: When faculty are hired and begin service before the completion of requirements for their terminal degree, they are usually hired into an interim appointment as an instructor until the terminal degree is awarded. In such cases, a delay in the start of the clock is automatic. The Dean has authority to define the length of this interim period as part of the letter of offer. The terms of the interim appointment and how it affects the clock must be detailed in the offer letter to the candidate. Occasionally, the recently hired faculty will fail to complete all requirements although the interim period as defined in the original letter of offer has expired. The dean has authority to extend the interim period and in doing so further delay the start of the clock. Delays occur in one-semester increments, but because the total probationary period may be no longer than seven years, starting the tenure clock in the middle of the academic year (January) functionally defines a 6.5 year probationary period. Faculty Members who begin their appointment in January as a result of degree completion requirements may request a waiver of their first semester of appointment towards the tenure clock. This request to extend the interim period must be made in writing and forwarded to the chair, the dean, and to the AVC for Faculty Affairs for approval. Faculty members who begin their appointment in January of an academic year are also eligible to request a waiver of their first semester of service towards the tenure clock.

Shortening the Probationary Period: At the time of initial appointment, the dean has authority to credit 1, 2, or 3 years towards a tenure decision to incoming faculty with previous tenure-

track faculty experience of a comparable nature at another institution. Regent's Rules do not allow more than 3 years credit to be granted. Granting years of credit towards tenure must be defined in the letter of offer. Junior faculty should be conservative in requesting or accepting credit towards tenure, as the decision to shorten one's probationary period becomes a binding decision on the part of both the University and the faculty member.

Other Circumstances that Occasionally Stop the Clock

Adjustments to the tenure clock not covered in the sections above require prior written approval by the Provost. Past situations where individuals have sought a delay to their tenure review include:

- Leaves without Pay where scholarly or creative work is pursued during the leave,
- Physical-plant problems that retard the ability of the faculty to perform their work (tardy lab renovations, leaky roofs, moves within campus),
- Excessive Workload (Teaching, Service, Librarianship, Curation),
- Partial Leaves or Temporarily Differentiated Workload associated with a medical or family emergency or situation not covered as part of Parental Leave policy.

The Provost generally will not approve stopping the clock for Leaves Without Pay (LWOP) where the faculty member has the opportunity to pursue his or her scholarly work unless truly unusual circumstances exist.

Physical plant problems and excessive workload situations beyond the control of the candidate will be considered by the Provost. The normal compensation for such situations, however, is a lightening of other workload duties in a subsequent semester or period. It is assumed that the chair, director and the dean will first make every effort to insulate probationary faculty from such circumstances. When such circumstances occur despite best mentoring efforts, the chair, director or dean should take steps immediately to compensate the probationary faculty member by a favorable workload adjustment in the succeeding semester so that the seven year probationary period can be maintained.

For financial, medical, or personal reasons, faculty members may sometimes elect to take a "partial leave". For example, a faculty member recovering from an illness or accident may be able to carry on teaching and service duties, but unable to conduct their research/creative work because of a temporary physical limitation that restricts travel or concentration. On the standard Research (40%):Teaching (40%):Service (20%) workload formula, this hypothetical faculty member would be on 60% time (40% leave) and earn 60% of their salary. The Provost will consider requests to adjust the probationary period for individuals on partial medical or family leave when they are submitted via the dean. Partial leaves associated with parental leave represent a special circumstance, discussed above.

Reasons for which the Clock is not Stopped

The paragraphs above discuss most of the circumstances for which delays in tenure review are considered. Below is a non-exclusive list of events or circumstances that are not considered valid reasons for stopping the clock;

- Failure to publish or perform.
- Failure to teach desired courses.
- Physical or mental illnesses or disabilities not associated with utilization of sick leave, LWOP, or differentiated workload adjustments.
- Distracting family or personal obligations when not associated with utilization of sick leave, LWOP, or differentiated workload adjustments.
- Financial hardship.
- Other events, activities, or circumstances that disrupt the routine schedule of a faculty member.

In all cases requiring Provost's approval, the dean is requested to submit a copy of the written request by the faculty member accompanied by a brief written recommendation from the dean. Requests should be submitted through the Office of Faculty Affairs, CB 49.