



MEMORANDUM

TO: President Edward T. Foote II

FROM: Professor George C. Alexandrakis *GEA*
Chairman, Faculty Senate

DATE: August 28, 1989

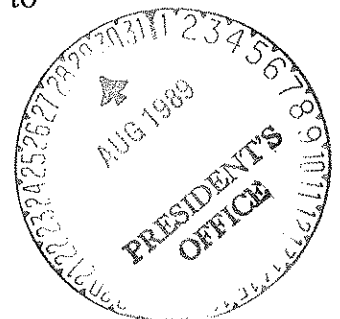
SUBJECT: Faculty Senate Legislation #88013(B) -
Extension of Probationary Period for Childcare and
Leaves of Absence for Childcare

The Faculty Senate, at its meeting of April 3, 1989, voted to approve Faculty Senate Legislation #88013(B) - Extension of Probationary Period for Childcare and Leaves of Absence for Childcare. The text of the legislation follows.

Section IV of the Appointment and Tenure section of the *Faculty Manual* shall include the following paragraph:

Untenured members of the Regular Faculty who have primary responsibility for the care of a child shall be entitled, upon request, to a one-year extension of their probationary period. A written request for such extension must be filed with the Chair no later than the beginning of the faculty member's fifth academic year (i.e., the last year prior to the year in which a tenure determination must otherwise be made). When there is a change in the faculty member's childcare responsibilities during the fifth year, such a request can be made during that year. The request should be accompanied by a written statement by the faculty member certifying that he/she has such primary childcare responsibility and giving a concise description of the nature and extent of such responsibilities. The request shall be forwarded through the Chair and Dean to the President for final determination.

Faculty Senate
325 Ashe - Admin. Bldg.
Coral Gables, Florida 33124
(305) 284-3721



President Edward T. Foote II
Page 2
August 28, 1989

Paragraph I of the Leaves of Absence section of the *Faculty Manual* is amended as follows:

Leaves of absence without salary may be arranged with the faculty member for the purpose of faculty exchange, advanced study, research, public service, childcare, and, in some instances, business or industrial employment, without prejudice to future promotions in rank, provided that the period of absence does not work undue hardship on the University.

This legislation is now forwarded to you for your approval.

cc: Provost Luis Glaser
Academic Deans
Professor Mary Coombs, Women's Advisory
Committee on Academic Affairs

CAPSULE:

Faculty Senate Legislation #88013(B) - Extension of Probationary Period for Childcare and Leaves of Absence for Childcare

RESPONSE BY THE PRESIDENT:

DATE: 10/19/25

APPROVED: Yes 377

OFFICE OR INDIVIDUAL TO IMPLEMENT OR PUBLISH: Provost

EFFECTIVE DATE OF LEGISLATION: _____

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____




Executive Vice President and Provost

M E M O R A N D U M

October 2, 1989

TO: Dr. George Alexandrakis
Chairman, Faculty Senate

FROM: Luis Glaser 
Executive Vice President
and Provost

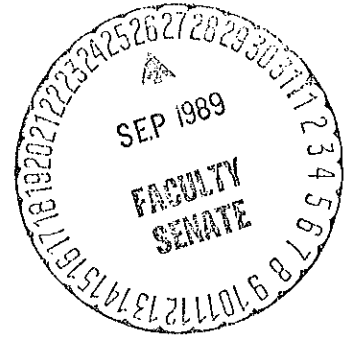
SUBJECT: Extension of Probationary Period for
Faculty Involved in Child Care

I would very much hope that the President can sign this document soon. Since there is very little concern about the extension of the probationary period, and I think it is understood that leaves of absence could involve child care, perhaps the legislation could be signed without the second paragraph, and we can deal with a change in the leave of absence document separately as soon as feasible. I would very much encourage you and the Senate to approve this. I would be glad to write you a separate memorandum indicating that leaves of absence for child care are understood to be one of the reasons for leaves of absence at this University.

I would appreciate any help you can give us to expedite this matter.

LG:nh

cc: Professor Mary Coombs
School of Law



Edward T. Foote II
President

M E M O R A N D U M

September 25, 1989

TO: Professor George C. Alexandrakis
Chairman, Faculty Senate

FROM: Edward T. Foote II *ETF*
President

SUBJECT: Faculty Senate Legislation #88013(B) -
Extension of Probationary Period for Child-Care
and Leaves of Absence for Child-Care

I am prepared to approve that part of this "legislation" concerning child-care.

I do not approve the part concerning leaves of absence. My colleagues suggest instead the following:

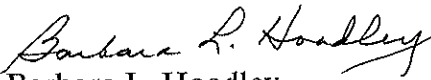
Leaves of absence without salary may be arranged by a faculty member for the purposes of faculty exchange, advanced study, research, public service, child-care, and usually do not exceed a period of one year. Under very unusual circumstances, leaves of absence for business or industrial employment may be granted. In either case, leaves of absence must be approved on an annual basis by the department chair (where appropriate), the dean, and the provost. Leaves of absence are granted without prejudice to future promotions in rank and with the understanding that they will only be granted if the absence does not work undue hardship on the University.

Please work with the provost to resolve whatever differences there may be.

ETF:LLS
cc: Luis Glaser

It was *moved* and seconded that the Senate Council wishes to reaffirm the Provost's statement that non-tenured individuals should not serve in any administrative capacity and disapproves an extension of the probationary period. The *motion carried*.

The meeting adjourned at 5:40 P.M.


Barbara L. Hoadley
Secretary to the Faculty Senate

FACULTY SENATE MEETING

April 3, 1989

Call to Order

The meeting was called to order by Dr. Alexandrakis at 3:30 P.M. in the Calder Library, School of Medicine. Excused absences were approved for Professors Burgess, Connolly, Driscoll, Dreyer, Forman, Herbert, Honikman, Lopez-Gottardi, Mallios, Neider, Posnak, and Seiler.

Women's Advisory Committee on Academic Affairs

Professor Mary Coombs, Law School, presented the Women's Advisory Committee on Academic Affairs recommendation for a one-year extension of the probationary period for persons who have primary childcare responsibility. It was *moved*, and seconded, to amend the last sentence of Section I to read: "The request shall be forwarded through the Chair and Dean to the President for final determination." The remainder of the paragraph was deleted. The *motion to amend carried* unanimously. The main motion, as amended, *carried* unanimously. It was *moved* by Dr. Baden, and seconded, to amend Section II, Leaves of Absence, by inserting "childcare" between "public service" and "and," in the list of purposes for which leaves of absence can be granted and submit the matter of redrafting the language to properly express the function of the insertion to the Senate Council. The *motion carried unanimously*.

MISCONDUCT IN RESEARCH

Dr. Eugene Eckstein advised the Council of the need to fine tune the Section on "Research and Sponsored Programs". He indicated that there is a need for an intervening group to handle the issue of investigating technical questions related to research which fall under the concept of misconduct. He suggested adding language to the Bylaws (4.16) establishing a Committee on Misconduct in Research. Sentence four was amended to read "...two outside 'non-voting' members with expertise ...". Sentence six was amended by changing "Committee" to "panel". Other editorial changes were offered. It was *moved*, and seconded, to approve Section 4.16, Committee on Misconduct in Research as amended. The *motion carried*.

*Informal.....*It was *moved* and seconded to expunge the first paragraph. The *motion passed*.

Dr. Clasby requested that the minutes reflect his dissatisfaction at the Administration's failure to voice any objections to proposed legislation prior to consideration for a vote by the Senate.

*Allegation.....*It was *moved* to defer consideration on the first sentence until the Section II, page 5, has been reviewed. The *motion to defer passed*. It was *moved* to change the next sentence to read "Allegations shall be investigated only when supported by evidence which....." The *motion carried* with one abstention. It was

PROPOSED AMENDMENTS TO FACULTY MANUAL

- (1) EXTENSION OF PROBATIONARY PERIOD FOR CHILDCARE
- (2) LEAVES OF ABSENCE FOR CHILDCARE

I. The Women's Advisory Committee on Academic Affairs recommends that the Faculty Manual be amended to provide untenured faculty who have primary childcare responsibilities and find it difficult to give undivided attention to scholarship the opportunity for a one year extension of the six-year probationary period. This will permit these faculty members to continue teaching, while recognizing the effect of childcare responsibilities on the pace of scholarship. The individual faculty member is free to decide whether to seek such an extension.

In Paragraph IV under APPOINTMENT and TENURE (Page 61) add the following paragraph:

Untenured members of the Regular Faculty who have primary responsibility for the care of a child shall be entitled, upon request, to a one-year extension of their probationary period. A written request for such extension must be filed with the Chair no later than the beginning of the faculty member's fifth academic year (i.e., the last year prior to the year in which a tenure determination must otherwise be made). When there is a change in the faculty member's childcare responsibilities during the fifth year, such a request can be made during that year. The request should be accompanied by a written statement by the faculty member certifying that he/she has such primary childcare responsibility and giving a concise description of the nature and extent of such responsibilities. The request, together with the recommendations of the Chair and Dean, shall be submitted to the President, who shall grant the request upon determining that the faculty member has met the criteria therefor.

II. Some faculty members may prefer to take a leave of absence to devote more time to childcare. The current policy does not, on its face, include childcare responsibilities among the reasons for granting leaves. This omission may be misconstrued as forbidding such leaves. In fact, however, leaves have been permitted for this and other purposes not covered by the policy. The Women's Advisory Committee therefore recommends the following change in the Manual to remove this ambiguity.

In the section on Leaves of Absence, first paragraph (p. 81), delete material within brackets, as follows:

Leaves of absence without salary may be arranged with the faculty member [for the purpose of faculty exchange, advanced study, research, public service, and, in some instances, business or industrial employment,] without prejudice to future promotion in rank, provided that the period of absence does not work undue hardship on the University.

To: Faculty Senate,
Prof. George Alexandrakis, Chair

pt. From: Women's Advisory Committee on Academic Affairs,
Prof. Dona Alpert, Chair

Re: Proposed Changes in Faculty Manual

Date: December 2, 1988

The Women's Academic Advisory Commission to the Provost recognizes that untenured faculty who have primary childcare responsibilities may thereby find it difficult to maintain the undivided attention to scholarship assumed in the usual six-year probationary period.

We therefore propose the following additions and changes to the Faculty Manual. References are to the Faculty Manual, Spring 1985; sections to which changes are proposed were not discussed in the Faculty Senate actions of May 25, 1988.

I. After the section on Leaves of Absence, add a new section, as follows:

CHILDCARE: EXTENSION OF PROBATIONARY PERIOD

Untenured members of the Regular Faculty who have primary responsibility for the care of a child under the age of five shall be entitled, upon request, to a one-year extension of their probationary period. A written request for such extension should be made to the Chair (or Dean, in undepartmentalized schools) and referred to the Executive Vice President and Provost. The request should provide adequate notice prior to the departmental vote on tenure, and must include a written statement by the faculty member certifying that he/she has such primary child-care responsibility.

Explanation: This provision will permit untenured faculty members with primary childcare responsibilities for young children to continue teaching, while recognizing the effect of such responsibilities on the pace of scholarship through an extension of the probationary period. The individual faculty member is free to decide whether to seek such an extension.

II. In the section on Leaves of Absence, first paragraph (p. 81), delete material within brackets, as follows:

Leaves of absence without salary may be arranged with the faculty member [for the purpose of faculty

exchange, advanced study, research, public service, and, in some instances, business or industrial employment,) without prejudice to future promotion in rank, provided that the period of absence does not work undue hardship on the University.

Explanation: Some faculty members may prefer to take a leave to devote more time to childrearing. The current policy does not include childrearing responsibilities among the reasons for granting leave. In fact, leaves have been permitted for this and other purposes not obviously covered by the policy. We propose omitting any formal limitation by reason and leaving the issue to individual determinations.

Note: Alternatively, the existing sentence in the Manual could be revised to add "childrearing responsibilities" after "public service" in the list of qualified purposes.

III. The following changes are not specifically related to the question of accomodation for childrearing responsibilities. They are more in the nature of housekeeping changes in the existing provisions regarding leaves of absences.

A. In Statement on Professors and Political Activity, paragraph 5 (p. 79), delete all but the first sentence. The paragraph will then read as follows:

5. A leave of absence incident to political activity should come under the institution's normal rules and regulations for leaves of absence.

B. In the section on Leaves of Absence, first paragraph (p. 81), add the following at the end of the paragraph:

Such leaves should not unfavorably affect the tenure status of a faculty member, except that time spent on such leave from academic duties need not count as probationary service. The terms of a leave and its effect on the status of the faculty member should be set forth in writing.

Explanation: In reviewing the relevant provisions of the Manual, it seemed that the sentences immediately above (slightly edited from the existing section on leaves taken for political activities) appropriately applied to all leaves of absence. We therefore propose moving them to that section of the Manual.

Women's Advisory Committee on Academic Affairs

Prof. Swan, the Vice-chairman, introduced Prof. Mary Coombs, who was substituting for Prof. Dona Alpert, both members of the Women's Advisory Committee on Academic Affairs. She introduced the proposed changes to the Section on Leave of Absence on the Faculty Manual to add childcare provisions for untenured faculty. She explained that the present Manual allows leaves of absence for several reasons that do not include childcare. It was **moved and seconded** to request the Committee to submit a new proposal. **The motion carried.**

External Review in MFA in Motion Pictures

Prof. Susie Seiler, member of the Ad Hoc Committee on MFA in Communication presented the revised proposal. The new proposal contains the comparative studies of faculties at other universities, a summary of the external review and the Dean's responses to them. It was **moved** by Prof. Swan and **seconded** by Prof. Awad that the Council will consider the proposal for an MFA in Communication, but that the issue will not be forwarded to the Senate until the original recommendations from the external reviewers were presented. **The motion carried.** Prof. Seiler pointed out that the recommendations made by the Committee to the School, the strengthening of critical and analytical studies, an intellectual rationale for the program, and an additional faculty line has been incorporated in the revised proposal. She noted that the budget in the proposal has not yet been revised, but the revision will be ready before the next meeting of the Faculty Senate.

Report on the Bylaw on Faculty Appointment, Promotion and Tenure

Prof. Knoblock informed the Council that the President had agreed to sign the Bylaw if the following changes were approved by the Council and Senate Faculty. To cover Educator faculty, insert paragraph X.A, from page 55 in the Manual, as paragraph 1.5 of Bylaw. Change in Paragraph 2.7, *teach nine or more hours* to **teach more than nine hours**. Delete in Paragraph 3.4 italicized passage: "are entitled to a *minimum* of one month's notice." Insert Paragraph X.B, *Manual*, page 55, instead of proposed notification requirements for Educator faculty. Replace on page 28, *Manual*, section 1.1 of Bylaws to **These Bylaws and Policies are intended to clarify the meaning of the Faculty Government Charter.**

Fraud and Misconduct

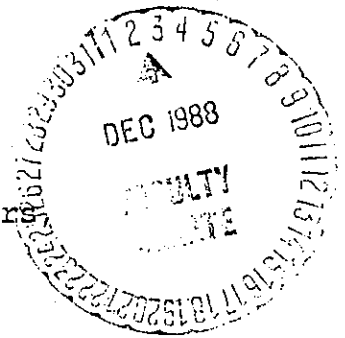
Prof. Eckstein introduced to the Council the report of the Committee on Misconduct. The Committee, he stated, is trying to fit federal requirements for sponsored research into the existing structure of the Faculty Manual. The Committee proposed the organization of a group that could set the methods to carry

To: Faculty Senate,
Prof. George Alexandrakis, Chair

From: Women's Advisory Committee on Academic Affairs
Prof. Dona Alpert, Chair

Re: Proposed Changes in Faculty Manual

Date: December 2, 1988



The Women's Academic Advisory Commission to the Provost recognizes that untenured faculty who have primary childcare responsibilities may thereby find it difficult to maintain the undivided attention to scholarship assumed in the usual six-year probationary period.

We therefore propose the following additions and changes to the Faculty Manual. References are to the Faculty Manual, Spring 1985; sections to which changes are proposed were not discussed in the Faculty Senate actions of May 25, 1988.

I. After the section on Leaves of Absence, add a new section, as follows:

CHILDCARE: EXTENSION OF PROBATIONARY PERIOD

Untenured members of the Regular Faculty who have primary responsibility for the care of a child under the age of five shall be entitled, upon request, to a one-year extension of their probationary period. A written request for such extension should be made to the Chair (or Dean, in undepartmentalized schools) and referred to the Executive Vice President and Provost. The request should provide adequate notice prior to the departmental vote on tenure, and must include a written statement by the faculty member certifying that he/she has such primary child-care responsibility.

Explanation: This provision will permit untenured faculty members with primary childcare responsibilities for young children to continue teaching, while recognizing the effect of such responsibilities on the pace of scholarship through an extension of the probationary period. The individual faculty member is free to decide whether to seek such an extension.

II. In the section on Leaves of Absence, first paragraph (p. 81), delete material within brackets, as follows:

Leaves of absence without salary may be arranged with the faculty member [for the purpose of faculty

exchange, advanced study, research, public service, and, in some instances, business or industrial employment,] without prejudice to future promotion in rank, provided that the period of absence does not work undue hardship on the University.

Explanation: Some faculty members may prefer to take a leave to devote more time to childrearing. The current policy does not include childrearing responsibilities among the reasons for granting leave. In fact, leaves have been permitted for this and other purposes not obviously covered by the policy. We propose omitting any formal limitation by reason and leaving the issue to individual determinations.

Note: Alternatively, the existing sentence in the Manual could be revised to add "childrearing responsibilities" after "public service" in the list of qualified purposes.

III. The following changes are not specifically related to the question of accomodation for childrearing responsibilities. They are more in the nature of housekeeping changes in the existing provisions regarding leaves of absences.

A. In Statement on Professors and Political Activity, paragraph 5 (p. 79), delete all but the first sentence. The paragraph will then read as follows:

5. A leave of absence incident to political activity should come under the institution's normal rules and regulations for leaves of absence.

B. In the section on Leaves of Absence, first paragraph (p. 81), add the following at the end of the paragraph:

Such leaves should not unfavorably affect the tenure status of a faculty member, except that time spent on such leave from academic duties need not count as probationary service. The terms of a leave and its effect on the status of the faculty member should be set forth in writing.

Explanation: In reviewing the relevant provisions of the Manual, it seemed that the sentences immediately above (slightly edited from the existing section on leaves taken for political activities) appropriately applied to all leaves of absence. We therefore propose moving them to that section of the Manual.

PROPOSED AMENDMENTS TO FACULTY MANUAL

- (1) EXTENSION OF PROBATIONARY PERIOD FOR CHILDCARE
- (2) LEAVES OF ABSENCE FOR CHILDCARE

I. The Women's Advisory Committee on Academic Affairs recommends that the Faculty Manual be amended to provide untenured faculty who have primary childcare responsibilities and find it difficult to give undivided attention to scholarship the opportunity for a one year extension of the six-year probationary period. This will permit these faculty members to continue teaching, while recognizing the effect of childcare responsibilities on the pace of scholarship. The individual faculty member is free to decide whether to seek such an extension.

In Paragraph IV under APPOINTMENT and TENURE (Page 61) add the following paragraph:

Untenured members of the Regular Faculty who have primary responsibility for the care of a child shall be entitled, upon request, to a one-year extension of their probationary period. A written request for such extension must be filed with the Chair no later than the beginning of the faculty member's fifth academic year (i.e., the last year prior to the year in which a tenure determination must otherwise be made). When there is a change in the faculty member's childcare responsibilities during the fifth year, such a request can be made during that year. The request should be accompanied by a written statement by the faculty member certifying that he/she has such primary childcare responsibility and giving a concise description of the nature and extent of such responsibilities. The request, together with the recommendations of the Chair and Dean, shall be submitted to the President, who shall grant the request upon determining that the faculty member has met the criteria therefor.

II. Some faculty members may prefer to take a leave of absence to devote more time to childcare. The current policy does not, on its face, include childcare responsibilities among the reasons for granting leaves. This omission may be misconstrued as forbidding such leaves. In fact, however, leaves have been permitted for this and other purposes not covered by the policy. The Women's Advisory Committee therefore recommends the following change in the Manual to remove this ambiguity.

In the section on Leaves of Absence, first paragraph (p. 81), delete material within brackets, as follows:

Leaves of absence without salary may be arranged with the faculty member [for the purpose of faculty exchange, advanced study, research, public service, and, in some instances, business or industrial employment,] without prejudice to future promotion in rank, provided that the period of absence does not work undue hardship on the University.