




MEMORANDUM

To: Donna E. Shalala, President

From: Mary Coombs 
Chair, Faculty Senate

Date: February 4, 2004

Subject: Faculty Senate Legislation #2003-14(B) – Clarification of section C5.5(e) in the Faculty Manual regarding extension of probationary period

The Faculty Senate, at its January 28, 2004 meeting, voted unanimously to approve the inclusion of language in section C5.5(e) of the Faculty Manual to clarify that a request for an unpaid leave of absence for personal hardship must be requested no later than the fifth year of the probationary period. That will make the language uniform with that in sections c and d. For your reference, the proposed change to the Faculty Manual is underlined in the attachment.

This legislation is now forwarded to you for your action.

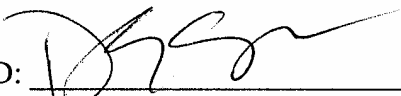
MC/kl

- cc: ✓ Luis Glaser, Executive Vice President and Provost
✓ Myron Rosenthal, Senior Associate Dean, Faculty Affairs, Medical
✓ William Tallman, Director of Faculty Affairs

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CAPSULE: Faculty Senate Legislation #2003-14(B) – Clarification of section C5.5 in the Faculty Manual regarding extension of probationary period

PRESIDENT'S RESPONSE

APPROVED:  DATE: 2/11/04
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: Provost

EFFECTIVE DATE OF LEGISLATION: _____
(if other than June 1 next following)

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

C5.5 Probationary Period for Regular Appointments

(a) The maximum probationary period before the award of tenure is six (6) years at the University of Miami. The probationary period of a faculty member may be extended, as provided for in the appropriate policies for the following reasons: child care, disability leave, unpaid leaves of absence, and personal hardship. These extensions are independent of one another. In no event may the probationary period be extended for these reasons once the final Special Review for tenure has been initiated.

(b) A faculty member holding a regular appointment shall be considered for tenure in the final Special Review during the sixth year of the probationary period. A faculty member may, however, be awarded tenure at any earlier time during the probationary period and should direct a request for such consideration to the chair or dean. Any prior consideration of a faculty member for the award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

(c) Untenured members of the REGULAR FACULTY may request an extension of the probationary period for reasons of extraordinary PERSONAL HARDSHIP. A written request for such an extension shall be filed with the chair no later than the fifth year of the probationary period. The request must be accompanied by a written statement by the faculty member giving a concise description of the nature and severity of the hardship. The request shall be forwarded through the chair and the dean to the Executive Vice President and Provost for final determination.

(d) Untenured members of the REGULAR FACULTY who have primary responsibility for CHILD CARE 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 fifth year of the probationary period. When there is a change in the faculty member's childcare responsibilities during the fifth year, a request can be made during that year. The request should be accompanied by a written statement certifying that the faculty member has primary childcare responsibility and giving a concise description of the nature and extent of these responsibilities. The request shall be forwarded through the chair and the dean to the Executive Vice President and Provost for final determination.

(e) UNPAID LEAVES OF ABSENCE 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. An untenured member of the REGULAR FACULTY may request an extension of the probationary period during unpaid leaves of absence no later than the fifth year of the probationary period. A written request for such extension shall be filed with the chair at the time of the request for leave. The request shall be forwarded through the chair and the dean to the Executive Vice President and Provost for final determination.

(f) Untenured members of the REGULAR FACULTY on DISABILITY LEAVE may request an extension of the probationary period. A written request for such an extension shall be filed with the chair during the period of disability leave. The request shall be forwarded through the chair and the dean to the Executive Vice President and Provost for final determination.