



MEMORANDUM

To: Donna E. Shalala, President

From: Richard L. Williamson
Chair, Faculty Senate

A handwritten signature in blue ink, appearing to read 'Richard L. Williamson'.

Date: March 5, 2012

Subject: Faculty Senate Legislation #2011-36(B) – Revise the *Faculty Manual* Section on Holiday Policy *retitled* Holy Day Policy

At its February 29, 2012 meeting, the Faculty Senate unanimously approved the proposal to revise the *Faculty Manual* Section on Holiday Policy *retitled* Holy Day Policy. At the request of a group of faculty members, the administration suggested that the section on Religious Holy Days be modified to take into account other holy days besides Christian/Judaic/Islam observances. Several of our peer institutions are adopting similar policies to the one adopted.

The new policy will apply to *all* religions without specifically providing a list of every major holiday for every religion. Professional and graduate programs are strongly encouraged, but not required, to follow similar policies, to the extent feasible. Faculty who disadvantage students contrary to the policy could be referred to the Committee on Professional Conduct.

The supporting materials are enclosed for your reference.

This legislation is now forwarded to you for your action.

RW/rh

Enclosure

cc: Thomas LeBlanc, Executive Vice President and Provost
William Green, Senior Vice Provost, and Dean of Undergraduate Education
John Fitzgerald, Chair, Department of Religious Studies

CAPSULE: Faculty Senate Legislation #2011-36(B) – Revise the *Faculty Manual* Section on Holiday Policy *retitled* Holy Day Policy

PRESIDENT'S RESPONSE

APPROVED:  DATE: 3/16/12
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: FACULTY SENATE

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

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

Proposed Revisions to Religious Holy Day Policy in the *Faculty Manual*

Reasoning: At the request of a group of faculty members, the administration proposed that the section on Religious Holy Days be modified to take into account other holy days besides Christian/Judaic/Islam observances. Several of our peer institutions are adopting similar policies to the one proposed below.

Faculty Manual Religious Holiday Policy as Currently Written:

"The University of Miami, although a secular institution, has always sought to acknowledge and accommodate those employees and students who wish to observe religious holy days. It seeks to reflect its awareness of and sensitivity to religious holy days whenever possible when scheduling University activities. Each student shall, upon notifying the instructor, be excused from class to observe a religious holy day of the student's faith. While the student will be held responsible for the material covered while absent, each student shall be permitted a reasonable amount of time to make up any work missed. No major test, major class event, or major University activity will be scheduled on a major religious holy day. Faculty members and University administrators shall in no way penalize students who are absent from academic or social activities because of religious observances."

*Note: The *Faculty Manual* does not list major religious holidays in the current policy.

Proposed Revised Religious Holy Day Policy:

The University of Miami, although a secular institution, is determined to accommodate those students who wish to observe religious holy days. It seeks to reflect its awareness of and sensitivity to religious holy days whenever possible when scheduling University activities. The following provisions are meant to apply equitably to all religious groups and to provide opportunities to all to meet their religious obligations.

1. Except as specifically provided to the contrary, this policy is binding on all students and faculty members in undergraduate programs. Schools offering graduate or professional programs, including undergraduate professional programs, are strongly encouraged to adhere to these policies to the maximum extent practicable.
2. Any student absent from class in observance of a religious holy day shall not be penalized in any way for an examination or assignment missed during the period of absence. Absence in observance of a religious holy day does not relieve students from responsibility for any part of the course work required during the period of absence. Students who are absent on days of examinations or class assignments shall be offered a reasonable opportunity to make up the work without penalty, if the student previously arranged to be absent. Nothing in this policy shall preclude faculty members from limiting the number of student absences to a reasonable number

of absences for any reason. The faculty member has discretion to determine how the make-up obligation will be fulfilled. A faculty member who penalizes a student contrary to these provisions may have committed unprofessional conduct, and thus may be subject to a complaint to the COMMITTEE ON PROFESSIONAL CONDUCT under the provisions of Section B4.9 of the *Faculty Manual*.

3. It is the student's obligation to provide faculty members with notice of the dates they will be absent due to observance of religious holy days, preferably before the beginning of classes but no later than the end of the first three class days. For religious holy days that fall within the first three class days, students must provide faculty members with notice no later than two class days before the absence. Missing a class due to travel plans associated with a particular religious holy day does not constitute an excused absence. Absences due to observance of religious holy days that are not pre-arranged with the relevant faculty member within the first three class days may be considered unexcused, and the faculty member may therefore prevent the student from making up examinations or assignments missed during the period of absence.
4. Faculty members are encouraged to anticipate days when a substantial number of students will be absent for observance of religious holy days and should avoid scheduling examinations and assignment deadlines on those days. Faculty members are expected to reasonably assist students in obtaining class information the student missed during the period of absence in observance of a religious holy day. In that regard, faculty members are urged to allow taping or recording of the class session, with the reproduction limited to the student's personal use, when a student misses a class due to observance of a religious holy day. To assist in identifying religious observance days, faculty members are encouraged to consult the illustrative list provided in the Interfaith Calendar (<http://www.interfaithcalendar.org/>). Faculty members are urged to remind students of their obligation to inform faculty members within the first three class days of any anticipated absences due to observance of religious holy days and should include that information in the syllabus or course requirements document for that course.