

## **OP 32.##: Modified Instructional Duties Policy**

**DATE:** [TBD]

**PURPOSE:** The purpose of this operating policy and procedure (OP) is to establish a modified instructional duties policy for full-time faculty.

**REVIEW:** This OP is effective immediately and will be reviewed in [insert month] of even-numbered years by the Senior Vice Provost and the Managing Director for the Equal Employment Opportunity Office with substantive revisions forwarded to the Provost and Senior Vice President (PSVP).

### **POLICY/PROCEDURE**

#### **1. Overview**

Texas Tech University is strongly committed to the success and well-being of its faculty. The University is dedicated to fostering a supportive and productive working environment that allows faculty opportunities to maintain a productive balance between their professional and personal lives. The Modified Instructional Duties Policy (MIDP) is designed to offer eligible faculty a modified workload that supports work-life balance and provides flexibility in the teaching obligations of faculty who experience a significant life event. These significant life events include, but are not limited to, serious personal illness, caring for a newborn infant or a newly adopted infant or child, and/or illness or injury to one's immediate family members.

#### **2. Eligibility**

The MIDP applies to tenured faculty members, tenure-track faculty members, and non-tenure track faculty members with continuing employment status who have nine-month appointments and who have been employed full-time for no less than one full appointment term. If requesting modified instructional duties for care of a newborn infant or newly adopted infant or child, the request must occur within one year of the date of birth or adoption. If requesting modified instructional duties for care of an immediate family member, the faculty member must be the principal caregiver or be required to care for or assist an immediate family member. The following persons are considered immediate family members in this policy:

- a. Individuals who reside in the faculty member's household and are related by kinship, adoption, or marriage;
- b. Foster children who reside in the faculty member's household and are under the conservatorship of the Texas Department of Protective and Regulatory Services;
- c. Minor children, whether or not living in the faculty member's household;
- d. A child for whom the faculty member is legal guardian by court appointment; or
- e. A parent of the faculty member (see OP70.32, Section 3c).

#### **3. Application Requirements**

To apply, the faculty member must complete a Modified Instructional Duties Request Form (MIDRF) (see Attachment A) and submit the form to her or his department chair, dean, or immediate supervisor. The request should be submitted as far in advance as possible prior to the semester in which the leave may be needed in order to accommodate the instructional needs of the department and the schedules of other involved faculty.

#### **4. Application Review**

The department chair, dean, or immediate supervisor to whom the MIDRF is submitted shall review the request to determine the faculty member's eligibility. The eligibility decision shall be based upon:

- a. The Faculty member meeting the eligibility requirements set forth in section 2.

b. The Faculty member describing the work to be done while on modified instructional duties in a way that benefits the University's research, service, teaching, and/or outreach missions. This work may involve significant scholarly research, new course development, curriculum development, or other work done in the best interest of the University's instructional program. The proposal must describe the work in detail and define a work product that can be evaluated by the department chair, dean, or immediate supervisor. Within fourteen (14) calendar days of receipt of the request, the department chair, dean, or immediate supervisor shall review and submit the application with her or his recommendation to the Office of the Provost. Upon final review, the Provost will communicate his or her decision to the department chair, dean, or immediate supervisor, who will be responsible for communicating the decision to the faculty member **within three business days.** The decision of the Provost is final.

Lewis Held 4/13/16 5:26 PM  
**Comment [1]:** Approved by unanimous vote of the TTU Faculty Senate.

#### 5. Period of Modification

Modified instructional duties shall run for a period of one full semester (fall or spring). Faculty may request one additional semester of modified instructional duties for the same event (e.g., serious personal illness, birth, adoption, illness or injury to one's immediate family member) to run consecutively with the first request for a total of two consecutive semesters of modified instructional duties per event. Faculty will be required to submit an MIDRF for each semester requested.

#### 6. Scope of Modification

a. The Modified Instructional Duties policy allows for the following:

- (1) For tenured or tenure-track faculty members:
  - a. Exemption from all or a portion of all teaching assignments during the leave semester. That is, a faculty member may request a full exemption (i.e., release from all teaching) or a partial teaching exemption (i.e., release from a portion of teaching responsibilities). ≈
  - b. Replacement of face-to-face teaching assignments with online teaching assignments and/or additional administrative or service assignments that may be completed remotely.
- (2) For non-tenure track faculty members with continuing employment status:
  - a. Replacement of face-to-face teaching assignments with online teaching assignments and/or additional administrative or service assignments that may be completed remotely.

b. *Extension of Tenure Probationary Period.* For faculty members on the tenure track, an approved request for modified instructional duties includes an automatic one-year extension of the tenure probationary period per event (e.g., serious personal illness, birth, adoption, illness or injury to one's immediate family member). This extension is automatic unless the faculty member specifically opts out of the extension on the MIDRF. Faculty on the tenure track may request up to four semesters of modified instructional duties during the probationary period and may receive up to two one-year extensions of the tenure probationary period. Participation in modified instructional duties is without prejudice to performance reviews or applications for promotion or tenure.

**c. Retaliation in any form (e.g., an arbitrary change in instructional duties) is prohibited.**

**d. Benefit Continuance.** Compensation and benefits of the faculty member do not change because a faculty member is on modified instructional duties.

Lewis Held 4/13/16 5:27 PM  
**Comment [2]:** Approved by unanimous vote of the TTU Faculty Senate.

#### 7. Combination with Faculty Sick Leave and FMLA

The Modified Instructional Duties Policy may run concurrently and/or sequentially with the Faculty Sick Leave Policy (OP 32.11) and the Family and Medical Leave Act (see OP 70.32).

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Omitted: Attachment A. (See PDF version).