Guidelines for Submitting Requests for Rule Waivers
(Tenure Clock Extensions, Leaves of Absence, Conversions, Dual Roles)

The University Committee hears the following requests for rule waivers of Faculty Policies and Procedures: extensions of the tenure clock, all leaves of absence for probationary faculty, leaves of absence for tenured faculty that exceed one year or the equivalent of three semesters in three years, temporary assignments for probationary faculty where the time off the university payroll exceeds one year, conversion of probationary faculty appointments to academic staff appointments, changes between clinical and tenure tracks (see SMPH policy), and dual roles for academic staff. Any questions regarding rule waivers not addressed by the guidelines below should be referred to the secretary of the faculty (sof@secfac.wisc.edu).

The University Committee generally meets every Monday afternoon during the fall and spring semesters and as needed throughout the summer and during breaks. The committee tries to accommodate all requests in as timely a fashion as possible. Departments and deans are requested to submit requests as soon as a need is known. Generally speaking, requests received by the secretary of the faculty by mid-week will be included on the next Monday’s agenda.

A. Extensions of the tenure clock that do not involve a leave of absence or temporary assignment.

New Hires (establishing probationary periods for new faculty positions). Faculty legislation provides for flexibility at the departmental and decanal levels in setting the tenure clock for new probationary faculty with prior service. FPP requires that when a person with prior service in a faculty position is hired, the department and dean shall determine how much of that previous service, if any, is to be counted toward the maximum UW-Madison tenure clock:

7.04.B. In calculating a person's maximum probationary period, provision shall be made for the appropriate counting of prior service at other institutions and at this institution. The departmental executive committee shall evaluate all such prior service, and shall determine, by mutual agreement with the dean, whether any or all of that prior service is equivalent to service at ranks of instructor or above in this university. All such equivalent previous service, but not to exceed three years, at one-half time or greater, shall be subtracted from the normal seven years, unless programmatic circumstances can be documented to justify otherwise. Prior probationary or tenure service at another institution while a candidate for a doctoral or equivalent terminal degree, by mutual agreement of the dean, the departmental executive committee, and the individual concerned, may be excluded in calculating the maximum probationary period.

Please consult with the secretary of the faculty if you have any questions regarding this legislation. Because of the personnel sensitivities and potential legal complications, it is imperative that the exact determination of the maximum probationary period be finalized and discussed with a candidate before an offer is made. Letters of offer should state the maximum probationary period that will be permitted.

In making initial tenure clock determinations, departments are advised to note the following statement from Faculty Legislation II-327 (Report of the Ad Hoc Tenure Clock Extension Committee):

It is assumed that it is the responsibility of departments to appoint faculty whose specializations, prior experience, and assigned responsibilities equip and permit them to compete successfully for tenure within the specified probationary period.

In the unlikely event that it is necessary to request that the University Committee approve an extension of the tenure clock for a new hire, the department should provide the following items as a single PDF directly to the secretary of the faculty (sof@secfac.wisc.edu) for distribution to the committee.
• Letter from the chair/director/dean justifying the request. This letter should (a) state the vote of the executive committee (or its delegate, FPP 5.22.A.), (b) present in some detail the rationale for the request, (c) include that the extension has been discussed with the candidate and the candidate agrees to the extension, and (d) provide the ending date of the probationary period and the mandatory review date, both from the original offer letter and as a result of the requested extension;
• Candidate’s current curriculum vitae;
• Signed and dated endorsement by the relevant dean (can be included on the chair/director’s letter).

**Current Probationary Faculty (includes faculty members under contract, even if actual appointment has not begun).** Faculty may request an extension of the tenure clock as a result of childbirth or adoption (FPP 7.04.H.1.). These requests should be directed to the provost (provost@provost.wisc.edu) and are not reviewed by the University Committee.

Requests based on disability or chronic illness, elder or dependent care, circumstances beyond the control of the faculty member (FPP 7.04.H.2.), or significant and substantial change in duties (FPP 7.04.H.3.) are reviewed by the University Committee and forwarded to the provost. FPP 7.04.H.2. allows for more than one request for reasons of elder or dependent care obligations, disability or chronic illness, or circumstances beyond the control of the faculty member when those circumstances significantly impede the faculty member’s progress toward achieving tenure. However,

> the total, aggregate length of time for all requests granted to a probationary faculty member under 7.04.H.2 ordinarily shall be no more than one year.

This provides flexibility for departments/schools/divisions and the University Committee to review multiple requests from an individual on a case by case basis.

**Confidentiality of medical information.** If a request for tenure clock extension is made for reasons of disability or illness, the chair/dean/director may contact the relevant Divisional Disability Representative (DDR) to request medical information to support the request. (Each school, college, and division has designated a DDR who is responsible for gathering any medical or confidential information required.) The chair/director/dean will work directly with the DDR who will make any requests for medical information. A faculty member may be required to provide the DDR with verification of a disability or medical condition from a treating specialist. The DDR will work with the chair/director/dean and the faculty member to make an individualized assessment of the precise work-related limitations resulting from the disability or illness, the nature of the problem that is generating the request, and the condition’s impact on progress toward tenure. The DDR will communicate with—and make a recommendation to—the department chair/dean/director regarding the request. The chair/director/dean then will consult with the executive committee to decide on the tenure clock extension. The DDR will share with the chair/director/dean and executive committee only what is essential for them to know to make a final determination on the tenure clock extension. The executive committee will be reminded that all confidential information should not be discussed or commented on outside of closed session. No information or question regarding the disability, medical condition, or medical information, however slight, should be mentioned/posed to any other party or to the person requesting the leave except through the DDR. The DDR will file all medical and confidential information in the confidential medical files, separate and outside of the departmental or divisional personnel file.

[For additional information on disability accommodation, please see UW Faculty Document 1159b (secfac.wisc.edu/senate/2014/1201/1159b.pdf).]
All requests for tenure clock extensions should document that the situation significantly will or has impeded the faculty member’s progress toward achieving tenure. The following material should be sent as a single PDF to the secretary of the faculty (sof@secfac.wisc.edu) for transmittal to the University Committee and eventual referral to the provost.

- Correspondence from the probationary faculty member documenting the circumstances, including dates of occurrence or anticipated timeline of events impacting progress toward tenure. (If the request is for reasons of disability or illness, the probationary faculty member is not required to disclose the nature of the illness or details of the medical condition in this letter. See “Confidentiality of medical information” above.);
- The faculty member’s current curriculum vitae;
- Letter from the guidance (mentor) committee supporting the request;
- Letter from the chair/director/dean including:
  - Date and the results of the executive committee vote (or its delegate, FPP 5.22.A.);
  - Department’s rationale for supporting the request;
  - Relevant supporting documentation, which would include the DDR’s assessment if the request is for reason of disability/medical condition;
  - Ending date of the probationary period and the mandatory review date, both those in effect at the time of the request and what they would be if the extension is granted;
- Signed and dated endorsement of the relevant dean (can be included on the chair/director’s letter).

It should be remembered that, as stated in FPP 7.14.E., the department’s review and decision whether to recommend a probationary faculty member for promotion with tenure should not be based on the candidate’s record over calendar years, but on the probationary period only.

B. Requests for Leave of Absence or Temporary Assignment (probationary and tenured faculty).

Probationary Faculty. All requests for leaves of absence that substantially interrupt the ability of a probationary faculty member to establish, within the normal probationary period, a record that would warrant the granting of tenure require the approval of the University Committee (FPP 7.20.) and, by nature, are understood to include a tenure-clock extension (i.e., stop the tenure clock).

If a request for leave of absence is made for reasons of disability or illness, the same procedure outlined in “Confidentiality of medical information” above should be followed.

The following material should be sent as a single PDF to the secretary of the faculty (sof@secfac.wisc.edu) for transmittal to the University Committee and eventual referral to the provost.

- Letter from the requesting faculty member describing the nature of the leave and circumstances necessitating the leave, including dates of occurrence, and present and anticipated timeline of events impacting progress toward tenure. (If the request is for reasons of disability or illness, the probationary faculty member is not required to disclose the nature of the illness or details of the medical condition in this letter. See “Confidentiality of medical information” above.);
- The faculty member’s current curriculum vitae;
- Letter from the guidance (mentor) committee supporting the request;
- Letter from the chair/director/dean including the following:
  - Date and results of the executive committee vote (or its delegate, FPP 5.22.A.);
  - Department’s rationale and circumstances approving the leave (including the DDR assessment if the request is for reason of disability/medical condition);
Expected impact on the department;
Leaves history of the requesting faculty member for the past five years;
Assessment of the likelihood that the faculty member will return to campus at the end of the leave;
If not otherwise obvious, the letter should detail how the nature of the leave is sufficiently different from traditional faculty activities that it will constitute an interpretation of the tenure clock.
Ending date of the probationary period and the mandatory review date, both those in effect at the time of the request and what they would be if the extension is granted;
Signed and dated endorsement of the relevant dean (can be included in the chair/director’s letter).

A temporary assignment for probationary faculty is similar to a leave of absence, but it does not interrupt the tenure clock (FPP 7.20.). Temporary assignments include leaves where the probationary faculty member is participating in research or instructional activities (and is therefore continuing to establish a scholarly record), but it not on the university payroll. When a temporary assignment exceeds one year, the University Committee’s approval is required. The following material should be sent as a single PDF to the secretary of the faculty (sof@secfac.wisc.edu) for transmittal to the University Committee and eventual referral to the provost.

- Letter from the requesting faculty member describing the nature of the leave;
- Faculty member’s current curriculum vitae;
- Letter from the guidance (mentor) committee supporting the request;
- Letter from the chair/director/dean including:
  - Date and the results of the executive committee vote (or its delegate, FPP 5.22.A.);
  - Department’s rationale and circumstances for approving the leave;
  - Expected impact on the department;
  - Relevant supporting documentation;
  - Leave history of the requesting faculty member for the past five years;
  - Assessment of the likelihood that the faculty member will return to campus at the end of the leave;
- Signed and dated endorsement of the relevant dean (can be included on the chair/director’s letter).

Tenured Faculty. For tenured faculty members, leaves of absence that exceed one year or the equivalent of three semesters in three years require the approval of the University Committee.

If the request for leave of absence is for reason of disability or illness, the procedure outlined above in “Confidentiality of medical information” should be followed.

The following material should be sent as a single PDF to the secretary of the faculty (sof@secfac.wisc.edu) for transmittal to the University Committee and eventual referral to the provost.

- Letter from the requesting faculty member describing the nature of the leave;
- Faculty member’s current curriculum vitae;
- Letter from the chair/director/dean including:
  - Date and the results of the executive committee vote (or its delegate, FPP 5.22.A.);
  - Department’s rationale and circumstances for approving the leave (including the DDR’s assessment if the request if for reason of disability/medical condition);
  - Expected impact on the department;
  - Relevant supporting documentation;
  - Leave history of the requesting faculty member for the past five years;
Assessment of the likelihood that the faculty member will return to campus at the end of the leave;
- Signed and dated endorsement of the relevant dean (can be included on the chair/director’s letter).

C. Conversion of a probationary faculty appointment to an academic staff appointment.

A probationary faculty appointment may not be converted to an academic staff appointment except upon recommendation by the appropriate departmental committee and the University Committee and approval by the chancellor. Such a conversion may not be made to circumvent the decision between promotion to tenure and nonrenewal. (FPP 7.06.C.)

The University Committee requests clear documentation that the appointment to the academic staff is temporary in nature (e.g., to cover teaching in critical courses until a new faculty member can be hired) or different in nature from a faculty position (e.g., appointment to a purely administrative position that is not normally filled by a faculty member). Such academic staff appointments might occur at the level of the department, the college, or within an institute or center and would be initiated, respectively, by a department chair, a dean, or a director.

The following documentation should be submitted as a single PDF directly to the secretary of the faculty (sof@secfac.wisc.edu) for transmission to the committee.

- Letter to the University Committee from the chair, director, or dean describing the reasons for the waiver and the nature and length of the proposed appointment;
- Candidate’s current curriculum vitae;
- In those cases where the new appointment is to be made at the departmental level or within an institute or center, a report of the date and vote of the executive committee (or its delegate, FPP 5.22.A.), or the equivalent in an institute or center, and signed and dated concurrence endorsement of the relevant dean are required.

D. Dual Role Appointments for Academic Staff

A dual role academic staff appointment is one in which an academic staff member holds a full-time appointment in one role and subsequently, is appointed to a second role. For example, an academic staff member holds a “Scientist” appointment. This appointment represents a “research” role. Later, it becomes apparent that the Scientist has unique qualifications to teach a course or courses. This appointment represents a “teaching” or instructional role. In this example the dual role is teaching and research. Such appointments require University Committee approval (FPP 1.02.B., 1.03.A., 8.02.). The University Committee welcomes requests for rule waivers for academic staff members to take on a second area of responsibility, particularly in the case of those who have the ability to serve a unit’s teaching mission. If units can show a demonstrated need, and can ensure that in waiving the rule they are able to maintain a clear distinction between faculty and academic staff responsibilities, the University Committee will consider waivers for a period of up to three years, and will consider requests for the renewal of rule waivers in the case of academic staff who take on dual roles. The rationale for this process is spelled out in a memo from the University Committee to deans, directors, and chairs on May 13, 2014:

The university is at once experiencing shrinking faculty resources and other financial challenges at every level of the organization while, at the same time, experiencing demand for expanding its instructional efforts (including use of new delivery techniques) to both enhance the learning experiences of traditional students and to reach a broader spectrum of non-traditional students. These expanded activities will help us better serve students and connect practical state-of-the-art technology to classroom instruction. Expanded instructional activities require increased numbers and experiences of instructors. Among the
talented academic staff already on the campus, there are certainly some excellent teachers who may be able to provide departments and units great strength in teaching.

Faculty Policies and Procedures (FPP) are clear that tenure-track and tenured faculty roles are teaching, research, and service (outreach). Further, as defined in FPP academic staff appointments are grounded in only one of the three faculty roles: research or teaching or service. As a result, a waiver is needed to grant an academic staff member, whose principal role is in one area, a dual role, so that they can undertake responsibilities in another area. If the UC agrees that a strong case has been made that an academic staff member agrees to contribute to the department’s mission in a second area, and that there is a demonstrable need for it, the UC typically grants a one-time waiver.

The University Committee wishes to ensure that the distinction between faculty – whose responsibilities include instruction, research, outreach, and administration – and academic staff – whose responsibilities typically are limited to one of those areas – remains clear. At the same time, it wishes to provide departments and units the ability to make the best use of the talented members of their academic staff, particularly in their teaching mission, should there be a demonstrated need.

To request a dual role rule waiver, submit the following as a single PDF to the secretary of the faculty (sof@secfac.wisc.edu) for transmission to the University Committee.

- Academic staff member’s job description prior to rule waiver;
- Letter from chair/director describing:
  - Reason for the rule waiver;
  - Identify whose position, if any, the academic staff member will replace;
  - Expected length of time that the waiver will be in place (one semester, one year, or more than one year up to three years);
  - How the department will address the problem that it is solving through the dual appointment once the term of the waiver is complete;
  - The sources of funding for the position (e.g., 101, 133, 144) and how the academic staff member’s total percentage effort is spent (research, teaching) relative to those funds.
- Letter from the academic staff member demonstrating their willingness to take on the new responsibility.

[Revised July 2015]