

ADMINISTRATIVE DIVISION ACAF Academic Affairs		POLICY NUMBER ACAF 1.60
POLICY TITLE Modified Duties for Faculty		
SCOPE OF POLICY USC System		DATE OF REVISION January 31, 2019
RESPONSIBLE OFFICER Executive Vice President for Academic Affairs and Provost		ADMINISTRATIVE OFFICE Office of the Provost

PURPOSE

This policy allows a faculty member to request relief from some level of academic duties in order to respond to an anticipated or unanticipated personal event or situation.

DEFINITIONS AND ACRONYMS

Modified duties: modification, partial release or complete release from teaching and/or other responsibilities for one semester or the equivalent of one semester distributed over a longer period not to exceed 12 months.

Primary caregiver: The person primarily responsible for the care and upbringing of a child.

Secondary caregiver: The person who provides backup care in the absence of the primary caregiver.

POLICY STATEMENT

The University of South Carolina is committed to fostering an educational community with a flexible and supportive work environment where faculty can thrive in both their professional and personal lives. Periodically a faculty member may need relief from some level of academic duties in order to respond to an anticipated or unanticipated personal event or situation.

All full-time faculty members are eligible for modified duties. The university encourages faculty to utilize this policy as needed to respond to anticipated or unanticipated life events or situations. Unit heads, deans and college/school leaders and administrators are expected to work with faculty to accommodate these situations, in accordance with this policy and other applicable Academic Affairs (ACAF) and Human Resources (HR) policies. This policy is not intended to diminish the rights and benefits of the Family Medical Leave Act or any other state or federal law.

Modified duties should involve either 1) full-time work with flexible schedule, remote work and/or other accommodations as needed or 2) a combination of working less than full-time and utilizing sick leave, annual leave and/or leave without pay as appropriate.

PROCEDURES

A. Modified Duties Related to the Birth or Adoption of a Child

In the case of the birth or adoption of a child, a full-time faculty member will be automatically approved for the equivalent of one semester of modified duties upon submission of the appropriate documentation and plan for modified duties.

1. The faculty member providing notification of a qualifying event must submit the Modified Duties Request form with documentation of the birth/adoption and a plan for modified duties. Details of the modified duties should be defined in consultation with the unit head. The modified duties should provide sufficient time and flexibility for the faculty member to respond to his/her personal or family circumstances as necessary. If the unit head and those in the review/approval process have not been notified in this manner, the faculty member's academic duties and responsibilities remain unchanged
2. The modified duties will be defined as follows:
 - i. Modified Duties for Birth/Adoptive Parent or Primary Caregiver

If the faculty member is the birth/adoptive parent or the primary caregiver of the child, the faculty member is released from onsite duties such as classroom teaching; library onsite duties; clinical field placement, and teaching research or clinical laboratory duties for one semester or the equivalent distributed over a longer period up to 12 months. Additionally, the faculty member's departmental or administrative committee work and undergraduate advising duties should be modified to suit the needs of the individual and the unit. Faculty responsibilities for research, scholarship and professional service that do not require onsite activities remain unchanged.

Additional modified duties may be assigned in lieu of onsite duties where applicable. Examples of modified duties include research, scholarship, professional service, and the development of curriculum and/or course materials, accreditation and/or certification materials, departmental operation manuals, communication materials, undergraduate or graduate student recruitment materials, etc.

- ii. Modified Duties for Secondary Caregiver

If the faculty member is the birth/adoptive parent or the secondary caregiver, then the modified duties will be defined in consultation with the unit head. Modified duties may include partial or complete release from teaching or other onsite duties, or partial or complete release from other responsibilities for one semester or the equivalent over a longer period up to 12 months.

Additional modified duties may be assigned in lieu of onsite duties where applicable. Examples of modified duties include research, scholarship, professional service, and the development of curriculum and/or course materials, accreditation and/or certification

materials, departmental operation manuals, communication materials, undergraduate or graduate student recruitment materials, etc.

3. The faculty member is not required to “bank” or teach additional courses, to serve on additional committees or advise additional undergraduate students in other semesters in order to receive this benefit.
4. The faculty member is not required to request modified duties even if eligible. The faculty member, in consultation with his/her unit head, should determine the best definition of modified duties to suit his/her needs.

B. Modified Duties in All Other Circumstances

A full-time faculty member may request one semester of modified duties or the equivalent over a longer period not to exceed 12 months in order to respond to special personal or family circumstances or other unexpected life challenges which require the faculty member to be off campus during his/her usual teaching, library, or laboratory hours. Examples of such situations include the serious illness of the faculty member, or the serious illness or death of the faculty member’s spouse/partner, child or parent.

1. The faculty member requesting modified duties must submit the Modified Duties Request Form with justification for the request, appropriate documentation and a plan for the modified duties.
2. Details of the modified duties should be defined in consultation with the unit head. The modified duties should provide sufficient time and flexibility for the faculty member to respond to his/her personal or family circumstances as necessary.

Additional modified duties may be assigned in lieu of onsite duties where applicable. Examples of modified duties include research, scholarship, professional service, and the development of curriculum and/or course materials, accreditation and/or certification materials, departmental operation manuals, communication materials, undergraduate or graduate student recruitment materials, etc.

C. General Procedures

1. In all cases, the spirit of the modified duties must be to accommodate the needs of the faculty member within the institutional ability to grant relief. The specific modified duties must be mutually agreed upon in writing by the faculty member and the unit_head. A copy of this agreement must be included with the Modified Duties Request form.
2. The unit should make an effort to provide the necessary equipment to facilitate these modified duties as appropriate.

3. The faculty member receives full pay and benefits during the period approved for modified duties if working full-time.
4. If the faculty member needs to be either partially or completely released from duties during this period, sick or some other type of leave must be taken. If the faculty member is disabled, long term disability or some other type of leave should be taken.

In either situation, the faculty member should contact Human Resources for further guidance regarding which type of leave is appropriate for his/her individual situation

5. Timing

- i. Unit heads should be alerted as soon as possible about a potential need for modified duties. The Modified Duties Request form should normally be submitted at least four months before the start of the proposed modification or as soon as possible when it is less than four months.
- ii. The modified duties semester may occur during the fall or spring semester of a given academic year. Alternatively, the equivalent of one semester of modified duties, including teaching relief when applicable, may be extended over a period not to exceed 12 months.
- iii. In the cases of birth or adoption, the modified duties must be concluded within the twelve-month period following the birth or adoption. A faculty member is eligible for “modified duties” even if the birth or adoption occurs during the summer months (May to August).

If both parents are full-time faculty members employed by the university, they are both eligible for automatic modified duties following the birth or adoption of a child. The two modified duties periods, with one person being the primary caregiver and the other the secondary caregiver, may be taken either simultaneously or consecutively, depending on the needs of the individuals and the unit(s).

If both parents are full-time faculty members employed in the same unit at the university, however, in most cases the two faculty members would not take their modified duties simultaneously.

D. Eligibility

All full-time tenured, tenure-track, clinical or research faculty members, librarians, instructors and lecturers of either gender are eligible for modified duties. Eligibility begins on the date of hire.

In cases of childbirth or adoption, eligible faculty members are entitled to the equivalent of one “modified duties” per event, if they attest that they are primary or secondary caregivers of the child(ren). The university reserves the right to revoke modified duties status or make other adjustments to duties as appropriate if this statement is proven false.

E. Tenure-Track Faculty

Tenure-track faculty members should not be penalized for utilizing this policy.

1. Tenure Review

The receipt of one or more periods of automatic or approved modified duties should not reflect negatively on the faculty member's evaluation during his/her tenure review.

2. Tenure Progress Review and Tenure Clock Extension

Consistent with policy ACAF 1.31 Extension of Faculty Tenure-Track Probationary Period and Scheduled Post-Tenure Review, a tenure-track faculty member is eligible to receive a one-year extension of his/her probationary period for tenure automatically in the case of childbirth or adoption, or by request in other situations.

Additionally, consistent with policy ACAF 1.05 Tenure Progress Review of Faculty: Third-Year Review, when a tenure clock extension is granted prior to completion of the tenure progress review, the timeline of the tenure progress review (third year review) is extended for the same period of time.

Separate forms are required for request of modified duties and request for a tenure clock extension. Approval of one does not include approval of the other.

F. Review and Approval Process

All notifications and requests for modified duties must be submitted on the Modified Duties Request form with requested documentation and forwarded through the appropriate chain of approval as outlined below.

1. USC Columbia

At USC Columbia, the forms must be reviewed and/or approved by the faculty member's department or unit chair (in departmentalized units), the college/school dean, and the executive vice president for academic affairs and provost or designee.

2. Comprehensive Universities

At the other comprehensive universities, the forms must be reviewed and/or approved by the faculty member's unit head and the executive vice chancellor for academic affairs.

3. Regional Palmetto Colleges

At the regional Palmetto Colleges, the forms must be reviewed and/or approved by the faculty member's unit chair, the campus dean, and the chancellor for Palmetto College.

G. Notification and Records

As appropriate by campus, the offices of the provost, the executive vice chancellor, or chancellor will be responsible for communicating the decision or result to the faculty member, the unit head and all others in the chain of approval. These offices will also keep a record of all modified duties semester approvals and denials, and forward copies of the signed forms to the USC Division of Human Resources in Columbia for the official personnel file.

For USC Columbia and the regional Palmetto Colleges, the office of the school/college dean or chancellor will be responsible for maintaining the official record of any changes to faculty member responsibilities during the academic year. For the comprehensive universities, these changes will be monitored by the office of the executive vice chancellor for academic affairs.

When applicable, the faculty member will be responsible for placing a copy of the completed form and any accompanying documentation in his/her tenure and promotion file.

H. Denials and Appeals

All Modified Duties Request forms with supporting or required documentation should be submitted and forwarded through each level of the appropriate campus-based chain of approval. If the faculty member's request for modified duties is denied at any point in the process, the reasons for denial must be outlined in an attachment to the Modified Duties Request form.

If the request is ultimately denied or an agreement cannot be reached regarding the definition of the modified duties, the faculty member may submit a written letter of appeal to the executive vice president for academic affairs and provost for USC Columbia, chancellor for Palmetto College or to the chancellor for comprehensive universities for review and final decision. The written appeal must be submitted within 20 working days of the date of denial. After receipt of the appeal, the executive vice president for academic affairs and provost or chancellor must reply within 10 working days. The decision of the executive vice president for academic affairs and provost or chancellor shall be the final decision of the university.

RELATED UNIVERSITY, STATE AND FEDERAL POLICIES

[ACAF 1.31 Extension of Faculty Tenure-Track Probationary Period and Scheduled Post-Tenure Review](#)

[ACAF 1.05 Tenure Progress Review of Faculty: Third Year Review](#)

[HR 1.06 Sick Leave](#)

[HR 1.07 Family and Medical Leave](#)

[HR 1.09 Other Leave with Pay](#)

[HR 1.12 Leave Without Pay](#)

[USC Columbia *Faculty Manual*, Section 2: Regulations and Policies, Leave](#)

[USC Palmetto College Campuses *Faculty Manual*, Section E-1: Leave](#)

HISTORY OF REVISIONS

DATE OF REVISION	REASON FOR REVISION
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August 16, 2007	New policy approval.
August 13, 2012	Revised to reflect requirements of Title II of the Genetic Information Nondiscrimination Act of 2008.
December 1, 2014	Policy revised to update name changes to system campuses and to modify procedures.
January 31, 2019	Policy revised for new template and to clarify required documentation for approval. Language is modified to be more inclusive of all types of faculty appointments.