



# KEAN

## Modified Tenure Timeline Due to Qualifying Life Event Policy

### Introduction and Purpose:

Kean University is committed to complying with state statutory requirements under N.J.S.A. 18A:60-16 et. seq (Tenure Law).

According to New Jersey State law, public college faculty are tenured after “6 consecutive academic years, together with employment at the beginning of the next academic year” (N.J.S.A. 18A:60-16). Generally, New Jersey colleges and universities employ full time faculty on a tenure track probationary period. Faculty are offered one-year positions and must apply for reappointment on an annual basis. The sixth year of a pre-tenure faculty’s employment is ordinarily their “tenure review” year. N.J.S.A. 18A:60-16 et. seq.

The University is committed to developing policies to promote equity and inclusion in the campus community. The following policy identifies opportunities for individual faculty to pursue tenure through a modified extended schedule. The purpose of this policy is to address inquiries from tenure track faculty who request to extend their current tenure track probationary period by up to one year due to pregnancy and family bonding leave. The policy also considers other qualifying events that would create a delay in tenure track faculty meeting the research qualifications to attain tenure. The proposed policy is permitted under N.J.S.A. 18A:60-16 et. seq.

As a result of this policy, certain faculty’s tenure track period will be extended by up to one year provided they meet the requirements of the qualifying life event as determined by Human Resources.

The following is an example of a modified tenure review timeline:

- Sept 2024 - 1st Year (applies for 2nd year contract)
- Sept 2025 - 2nd Year (applies for 3rd year contract)
- Sept 2026 –Faculty is approved for a modification of up to one year.
- Sept 2027 – 3rd Year (applies for 4th year contract)
- Sept 2028 - 4th Year (applies for 5th year contract)
- Sept 2029 - 5th Year (applies for 6th year contract)
- Sept 2030 - 6th Year (applies for tenure/promotion)
- Sept 2031 - Tenured/Promoted

**Persons Covered by This Policy:**

A candidate who experiences a Qualifying Life Event, as defined below, and who takes any combination of approved leaves of absence for a period of at least four weeks (20 days) or who experiences the qualifying life event after June 30 but before the commencement of the following fall semester may have the tenure review timeline modified by up to one year in accordance with this section, provided they meet the requirements of the qualifying life event as determined by Human Resources.

Qualifying Life Events for purposes of this section are all events entitling the candidate to a leave of absence pursuant to the New Jersey Family Leave Act ("NJFLA") and the Family and Medical Leave Act ("FMLA"), which include:

- The birth or adoption of a child of the candidate, or the foster placement of a child with the candidate to allow the candidate to care for the child;
- A serious health condition that makes the candidate unable to perform the functions of their position;
- A serious health condition affecting the spouse, child, or parent of the candidate to allow the candidate to provide care;
- A serious injury or illness incurred in the line of duty affecting a covered service member who is the spouse, child, parent or next of kin of the candidate to allow the candidate to provide care;
- A qualifying exigency arising when the spouse, child or parent of the candidate is on covered active duty (or has been notified of an impending call or order to covered active duty) in the Armed Forces;
- An act of domestic violence or a sexually violent offense committed against the candidate or the candidate's spouse, domestic partner, civil union partner, child, or parent in accordance with the NJ SAFE Act.

**Procedure:**

Except as otherwise provided herein, the faculty shall reach out to the Benefits Team in the Department of Human Resources to formally request a modification of the tenure review timeline. A candidate who satisfies the above requirements may be considered for a modified tenure review timeline of up to one year. To be eligible for a modified tenure review timeline, a candidate must inform the Office of Human Resources Benefits Team ("HR") of:

- the occurrence of the Qualifying Life Event;
- if the event occurs during the contract period, the candidate's desire to use some form of accrued leave in accordance with current HR procedures; and
- the candidate's desire to be considered pursuant to the modified timeline.

To request a modified tenure review timeline:

If the leave of absence has not yet been approved, the candidate is required to provide supporting documentation in accordance with HR procedures. Within twelve (12) months of the Qualifying Life Event, the candidate must provide proof and notice of the Qualifying Life Event to HR, (if they have not already submitted such proof). Additionally, the candidate must provide in writing a request to modify the tenure review timeline. Upon verification of the Qualifying Life Event, HR will notify the candidate of the following: a) the University's decision on whether the candidate has been approved for the requested leave (if applicable); and b) the University's decision on whether the candidate's request to modify the tenure review timeline has been approved. The candidate must confirm in writing that they would like to proceed with the modified tenure review timeline. HR will notify the Office of the Provost and Division of Academic Affairs, with confirmation to the candidate, that the modified tenure review timeline should apply to the candidate's next reappointment application.

Once the candidate is placed on the modified tenure review timeline, they will be subject to the modified timelines for all years after the occurrence of the Qualifying Life Event through the decision to grant or deny tenure. The candidate's decision to modify the tenure review timeline is irrevocable. Please note that the request to modify the tenure review timeline does not apply retroactively.

**NOTE:** Candidates covered by this policy should be aware that they are expected to apply for reappointment on an annual basis in accordance with the University's reappointment calendar, even if they are planning to be on an approved leave at the time materials are due.

If the candidate wishes to modify the date on which they submit their reappointment portfolio, they should communicate that to HR for consideration. HR will seek approval from the Office of the Provost and Division of Academic Affairs. The candidate should proceed with meeting all the reappointment calendar deadlines until they receive a response from HR. The new submission deadline must allow the University adequate time to complete the review process. This may result in receiving notice of a reappointment decision in the terminal year of a candidate's employment term, e.g., a candidate could be notified that they will not be reappointed (with tenure) in as late as December of the candidate's final year of employment.

A candidate following the modified tenure timelines shall be held to the same standards as any similarly situated candidate following the ordinary (non-modified) tenure timeline process. The candidate shall not be discriminated against or retaliated against for choosing to follow a modified schedule.

The procedures and timelines provided in this document are subject to and shall be consistent with N.J.S.A. 18A:60-16 et. seq. and the terms and conditions of any applicable binding agreement between the State of New Jersey and the Council of New Jersey State College Locals (the "Agreement"). To the extent that any provision of the application process for tenure is inconsistent with the Tenure Law, the Tenure Law shall prevail. To the extent that any provision

of the application process for reappointment is inconsistent with the Agreement then in effect, that the Agreement shall prevail.