

**RESOLUTION TO APPROVE ACTIVE-SERVICE MODIFIED-DUTIES  
POLICY FOR TENURED AND TENURE TRACK FACULTY AT  
NJIT AND INCLUSION IN THE FACULTY HANDBOOK**

**WHEREAS**, NJIT is in need of a policy that will better address the needs of the tenured and tenure track faculty for work-life balance by providing a mechanism to provide for an appropriate balance between academic careers and family life; and

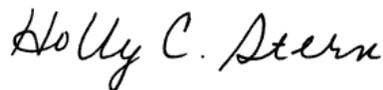
**WHEREAS**, a significant number of universities, with which NJIT is competing, have already implemented effective modified-duty programs for faculty that are activated following the birth or adoption of a child; and

**WHEREAS**, the current NJIT Family Medical Leave Act does not adequately address the needs of the tenured and tenure track faculty member to be appointed to modified active service when the birth or adoption of a child is concerned; and

**WHEREAS**, the university administration recognizes the need for policy change in order to attract and retain more women to the faculty ranks; and

**WHEREAS**, the Board of Trustees has reviewed the documents provided and recognizes that in order to attract and retain the best and most diverse faculty, it is necessary to create the Active-Service Modified-Duties Policy for Faculty to allow faculty members to strike an appropriate balance between academic and family life;

**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees approves the Active-Service Modified-Duties Policy for Tenured and Tenure Faculty effective July 1, 2007 and for inclusion in the Faculty Handbook.



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Holly C. Stern, Esq.  
General Counsel and  
Secretary to the Board of Trustees  
New Jersey Institute of Technology

February 8, 2007  
Board Resolution 2007-13

## **Active-Service Modified-Duties Policy for Tenured and Tenure Track Faculty (Proposed Faculty Handbook Language)**

NJIT is committed to provide policies and resources to facilitate the opportunity for faculty to strike an appropriate balance between academic and family life. Often, leave policies find their origins in the illness of an employee, the desire to take a leave of absence without pay, or the Family Medical Leave Act but do not adequately address the unique circumstances of the birth or adoption of a child by tenured or tenure-track faculty. Career demands can place faculty members beginning a family, particularly women faculty, at a potential disadvantage with respect to their peers. No one should be in a position to have to choose between family and profession. Consequently, it is important to have special policies that address the birth or adoption of a child by a tenured or tenure-track faculty member as compared to leave policies that serve different purposes.

**Eligibility:** Following the event of an adoption or birth of a child by a tenured or tenure-track faculty member or their spouse, and if the primary caregiver is an NJIT tenured or tenure-track faculty member, he or she has the option of using the Active-Service Modified-Duties Policy. Under this policy, the faculty member is relieved of university service assignments and scheduled teaching (e.g., classroom) responsibilities for up to only one semester, without reduction in pay and with continuation of all rights and benefits of regular employment, as follows:

1. If the birth or adoption takes place during Fall semester, the modified duties period can extend into the Spring Semester for a total of no more than one semester only.
2. If the birth or adoption takes place in the Spring semester, the modified duties period can extend through that Spring semester only.
3. If the birth or adoption takes place in the Summer before the start of Fall semester, the modified-duties period can extend through the Fall semester only.

In addition, if the primary care giver is a tenure-track faculty member, the tenure-track period will be automatically extended by one year. An individual can only be on Active-Service Modified-Duties under this policy twice during his or her career at NJIT.

During the Modified-Duties period, the primary care faculty member is expected to fulfill student research advising and other research responsibilities. The use of the Active-Service Modified-Duties Policy obligates the recipient to serve as a member of the university faculty for at least one year following the completion of the leave or to reimburse the university for all salary paid during the Active-Service Modified-Duties period.