II.E.3. Policy on Extension of the Probationary Periods that Apply to Granting of Tenure or Promotion to Associate Professor
(Source: Offices of the President and Provost, Almanac, March 18, 1997; revised, Almanac, April 27, 1999; revised, Almanac, February 28, 2006)

A. A non-tenured member of the Standing Faculty shall be eligible for an extension of the tenure probationary period, and a Standing Faculty-Clinician-Educator or member of the Research Faculty shall be eligible for an extension of the promotion review period corresponding to the semester or year during which any of the following events occurred:

1. A child is born, adopted, or placed for foster care, into the faculty member’s household and the faculty member is the primary or co-equal parental caregiver;

2. By reason of a serious health condition (as defined in Section 2611(11)* of the Family and Medical Leave Act of 1993) persisting for a substantial portion of the period for which the extension is sought, the faculty member is required to act as the primary or co-equal caregiver for a parent, child, spouse, or domestic partner (as defined in the domestic partner benefits policy); or

3. By reason of a serious health condition (as defined in Section 2611(11)* of the Family and Medical Leave Act of 1993) persisting for a substantial portion of the period for which the extension is sought, the faculty member is unable to perform the functions of his or her position.

If both spouses or domestic partners (as defined in the domestic partner benefits policy) are co-equal caregivers, then both may obtain extensions of the tenure probationary period.

B. The length of each extension shall be one year. The faculty member shall complete the Notification of Extension form and transmit it to the Provost’s office within one year of the birth, adoption, or foster care placement. Deans and department chairs are responsible for ensuring that all faculty eligible for an extension receive the Notification of Extension form.

C. Extensions of the tenure probationary period shall be without prejudice to the obligation of the University to provide faculty members with twelve months’ notice of termination.

D. When a faculty member who has taken an extension under this section is being reviewed for tenure or promotion to associate professor, the dean, in his/her letter soliciting evaluations from external reviewers, should explicitly state that the candidate has taken an extension pursuant to this policy. The dean should further state that the policy of the University of Pennsylvania is to evaluate the productivity of each candidate who has been granted an extension as if he or she had been in probationary status for the normal duration, so that the candidate is not penalized for having received the extension.
Upon being notified of a faculty member’s application for a one-year extension of the probationary period, the University will approve the application unless specific and compelling factors require its denial. The action of the Provost shall be communicated in writing to the faculty member and shall specify the revised date of tenure review and termination date of the probationary period and (in the event that the request is denied) shall specify the grounds for the denial.

For untenured members of the Standing Faculty on the tenure track, the total probationary period cannot exceed ten years. For assistant professors on the Standing Faculty-Clinician-Educator track, and assistant professors on the Research track, the total probationary period cannot exceed thirteen years.

*N.B. The statute defines a “serious health condition” as “an illness, injury, impairment, or physical or mental condition that involves”—“(A) inpatient care in a hospital, hospice, or residential medical care facility” or “(B) continuing treatment by a health care provider.” “Health care provider” is defined as: “(A) a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices or “(B) any other person determined by the Secretary [of Health and Human Services] to be capable of providing health care services.”

Catastrophic Event
(Source: Office of the Provost, October, 2005)

The University recognizes that rare and unusual situations may occur in which a faculty member in a probationary period will be the victim of an unforeseen, catastrophic event. A “catastrophic event” is defined under this policy as either: (1) the destruction, loss, or unavailability of, or interference with access to, materials, data or research opportunities necessary for completion of a research project, such that the research project is unable to proceed or is disrupted for at least sixty days, or (2) unforeseen interruptions in the availability of building facilities or suspension of laboratory operations that deprive the faculty member or appropriate members of the research team of access to a laboratory or the availability of other essential supports for at least sixty days. It is understood that a “catastrophic event” has a serious impact on the faculty member’s ability to pursue his/her area of scholarly focus or activity in a customary and timely fashion and occurs through no fault of the faculty member. Under those circumstances, a faculty member may be eligible for an extension of the probationary period applied to the granting of tenure or promotion to associate professor. The extension shall be for one year. A faculty member may apply for additional extensions up to the maximum permissible under University policies.

In order to determine if the faculty member is eligible for an extension of his/her probationary period under the catastrophic event clause, the following review and evaluation shall apply:

- The faculty member must report the event to the dean or department chair as soon as feasible, but in any event no later than thirty days following the catastrophic event or the discovery of the catastrophic event.
• The faculty member must submit a written report of the event to the dean or department chair, documenting the loss and including any supporting materials, such as insurance claims, statements from collaborators, witnesses, and University reports, as well as a request for an extension of the probationary period.

• The faculty member’s report, supporting materials, and a statement of support for the extension shall be reviewed by the dean of his/her school.

• The dean shall appoint a committee to review and evaluate the request and to provide a written report and recommendation within twenty-one days. The committee shall be comprised of three senior standing faculty who are not from the home department of the faculty member making the request; in the schools where there is an Associate or Vice Dean for Research and/or Research Training, that person will serve ex officio.

• The committee shall review the details of the event, evaluate the impact on the ability of the faculty member to pursue his/her area of scholarly focus or activity, suggest a plan for amelioration, and a timeline for completion. The committee members should interview faculty and staff who may have information pertinent to the event.

• The committee shall submit a report and recommendation to the dean. In those cases where the dean recommends an extension, he/she will submit the report, any additional documentation, and a recommendation to the Vice Provost for Faculty.

The Vice Provost shall review the report with the subcommittee of the Provost’s Staff Conference who will serve as advisors to the Vice Provost in making the determination. Each case shall be judged on its own merits and shall not create a precedent for future determinations. The decision of the Vice Provost and/or Provost shall be final and binding.