GUIDANCE FOR IMPLEMENTATION OF LEAVE DUE TO FACULTY MEMBER VIOLATIONS OF PENN STATE’S REQUIREMENTS AND EXPECTATIONS TO REDUCE THE RISK OF COVID-19

10.8.21

This document is ready for distribution and will be updated regularly as new information and guidance become available. Revisions will be highlighted in yellow.

1. A faculty member may be placed on unpaid leave for not adhering to the university’s health and safety requirements as outlined here.

2. The faculty member will first be placed on paid leave while the decision is reviewed by a Faculty Review Committee.
   a. The paid leave will continue pending review even if the faculty member participates in COVID-19 testing.
   b. The paid leave will end and the Committee review process will cease if the faculty member provides the required information in Salesforce indicating that they are vaccinated.
      i. The faculty member’s normal duties, including any instructional duties, will resume when the paid leave ends.
      ii. Faculty members with instructional responsibilities who were replaced by an alternate instructor due to their absence while on leave have the choice of going on unpaid leave or accepting an alternate instructional responsibility requiring equivalent effort.

3. If a majority of the committee agrees that the process outlined in “Guidance on instructor, researcher, and faculty member violations of Penn State’s requirements and expectations to reduce the risk of COVID-19” was followed and that the person in question violated such requirements and expectations, the faculty member will be placed on unpaid leave.
   a. The instructor, researcher, or faculty member in question will be removed from all their courses and/or their lab and placed on unpaid leave for the remainder of the semester and prohibited from working on campus for the duration of the leave. Instructors who are also staff will no longer be paid for any course and the human resources strategic partner for their unit will be notified to determine whether additional measures will be taken in the unit.
   b. The unpaid leave will continue even if the faculty member participates in COVID-19 testing.
   c. The unpaid leave will end if the faculty member provides the required information in Salesforce indicating that they are vaccinated.
      i. The faculty member’s normal duties, including any instructional duties, will resume when the unpaid leave ends.
ii. Faculty members with instructional responsibilities who were replaced by an alternate instructor due to their absence while on leave have the choice of continuing on unpaid leave or accepting an equivalent instructional responsibility.

4. In addition to any other sanctions imposed pursuant to the University’s Guidance on instructor, researcher, and faculty member violations document found here [link], being placed on leave for failure to adhere to Penn State’s health and safety requirements will be reflected in the faculty member’s annual review and impact GSI, if available.

5. When instructors, researchers, or faculty members placed on leave return in January for the spring semester, they will be returned to step 2 of the process. If the instructor, researcher, or faculty member persists in their refusal to comply with the guidance, the unit executive, academic unit head, or their designee will verify the allegation within two business days. The unit executive will determine who corroborates the allegation. The unit executive will discuss the situation with the human resources strategic partner and the Vice Provost for Faculty Affairs, and determine next steps, including who will notify the instructor, researcher, or faculty member. In cases where staff are teaching a course in addition to their full-time position, the employee’s supervisor will also be consulted. The instructor, researcher, or faculty member in question will be removed from all their courses and/or their lab and, subject to the review process described below, placed on unpaid leave and prohibited from working on campus for the duration of the leave. Instructors who are also staff will be relieved of their teaching responsibilities and no longer paid for any course; the human resources strategic partner for their unit will be notified to determine whether additional measures will be taken in the unit. Efforts will be made to identify and alternate instructor for the courses. Any decision to place an instructor, researcher, or faculty member on unpaid leave must be reviewed within seven days by a sub-committee of the Faculty Affairs Advisory Council composed of two faculty members and one administrator charged by the Vice Provost for Faculty Affairs. The review must include an opportunity for the individual to meet with the committee and explain their position (see “Process Guidelines for the Faculty Review Committee”). The individual will remain in paid status pending the recommendation by the review sub-committee. Leave will be implemented in accordance with the steps outlined in this document.