THE FACULTY SENATE

April 17, 1998

Dr. Ray M. Bowen
President
Texas A&M University

Dear President Bowen:

At its regular meeting held April 13, 1998, the Faculty Senate approved the recommendations from the Personnel and Welfare Committee to a new Texas A&M University Rule on "Reinstatement of Faculty Member on Sick Leave or Leave Without Pay (Rule Number 33.01.02.M1; Supplements System Regulations and System Policy).

I enclose for your information a copy of the materials sent to Senators on the above item.

Thank you for considering this item. Please inform me of your action on these recommendations.

Sincerely,

Wayne E. Wylie
Speaker, 1997-98

Enclosure

c: Dr. Ronald G. Douglas, Executive Vice President & Provost
   Dr. William L. Perry, Associate Provost & Dean of Faculties
   Dr. Martha R. Scott, Chair, Personnel and Welfare Committee
33.01.02.M1

REINSTATEMENT OF FACULTY MEMBER
ON SICK LEAVE OR LEAVE WITHOUT PAY
DRAFT  February 9, 1998
Supplements System Regulation and System Policy

1. GENERAL

This Rule sets forth a process to be used when considering reinstatement of a faculty member who has been on sick leave or leave without pay because no reasonable accommodation for a disability was possible.

2. GUIDELINES

2.1 The faculty member will present to the Dean of Faculties, Dean of the College, and Head of the Department documents from the treating physician (or licensed professional) stating that the disclosed disability, or underlying medical cause of the disability, has been alleviated or controlled by cure, medication, or some other cause. The faculty member will submit a request to return to work. The request must be submitted three months prior to the beginning of the semester in which the faculty member desires to return to budgeted position.

2.2 If the faculty member's prior disability no longer exists (as determined by the evidence in 2.1 above) he or she will return to work.

2.3 If the faculty member's status is improved disability improves, but is not fully alleviated or controlled, the faculty member must also submit a request for a specific accommodation that he or she believes will allow performance him or her to perform the essential job functions. Also, the faculty member must grant written permission for the department head to speak with The request must be accompanied by a supporting statement from the treating physician (or licensed professional) and authorization for that person to reveal information related to the disability that the department head deems necessary to begin consideration of return to work or written permission for the department head to speak with the treating physician (or licensed professional) about the faculty member's disability and requested accommodation.

2.4 In the case of 2.3, the requested accommodation will be evaluated by the department head, who may consult with other appropriate parties, to determine including the University's ADA coordinator, in deciding whether the requested accommodation is reasonable. If no accommodation is found if in evaluating the request the department head determines that additional medical information is needed, he or she will submit specific written questions to the treating physician (or licensed professional) via the
faculty member. During any consultations with other parties, the head will not reveal any confidential medical information about the faculty member without first receiving his or her written consent. If the head determines that the requested accommodation is not reasonable, the faculty member may appeal using University Rule 12.01.99.M3, Faculty Grievance Procedures.

OFFICE OF RESPONSIBILITY:

Associate Provost and Dean of Faculties

This is a new University Rule.

Approved by the Faculty Senate April 13, 1998 (FS.15.113)