Office of the Provost Interim Guidance for Faculty Seeking Alternatives to In-Person Instruction During the Fall 2020 Semester

President LeBlanc and I are enormously grateful for the commitment that the faculty and staff have made in contingency planning for various fall operating scenarios based upon public health considerations, social distancing guidelines, and other factors. As you know, President LeBlanc announced on May 4, 2020, that the university's current plan is to be open in the fall "to the fullest 'normal' extent that is safely possible." Working closely with the Faculty Senate and its committees and with other forms of faculty input, the university is planning for in-person instruction and a residential academic experience for the fall, with classes scheduled to commence on August 31. The university will employ a range of safety protocols to ensure that faculty teaching in-person will return to a safe working environment. All faculty members should be prepared to deliver course content in the normal modes of instructions.

At the same time, part of the planning should include preparation by faculty to deliver course content remotely should it become necessary. This is especially true for those of you who teach courses with large enrollments. For these reasons, it is important that we all actively engage in planning now for the possibility of your having to deliver fall courses, in whole or in part, both in-person as well as remotely.

We recognize that if the university resumes on-campus learning, some faculty may request to teach remotely for the Fall 2020 semester in light of the COVID-19 pandemic. Alternatively, some faculty have indicated a desire to take an unpaid leave during the Fall 2020 semester in lieu of fulfilling their in-person teaching obligations. We hope to honor all such requests, subject to the university's needs to provide in-person instruction. In order to flexibly accommodate such requests quickly when warranted, and to ensure that departments and schools have sufficient time to plan teaching schedules, we have instituted a special protocol to receive and resolve any such requests. This document provides guidelines for faculty employed by GW seeking alternatives to in-person instruction during the Fall 2020 semester.¹ Let me thank our Vice Provost for Faculty Affairs, Chris Bracey, for leading the creation of the guidelines as well as the Faculty Senate ASPP Committee for some incredibly rapid and detailed review work.

Please note that these guidelines are in place for the Fall 2020 semester only.

 Requests to Teach Remotely Based on Inclusion In Greater Risk Category Due To Health Condition. The university is aware that in-person instruction may present certain challenges for some faculty members. The Centers for Disease Control (CDC) has identified several health factors that may place a person at greater risk of severe illness from COVID-19, such as chronic lung disease or moderate to severe asthma, serious heart conditions, conditions that cause a person to be immunocompromised, severe obesity (body mass index [BMI] of 40 or higher), diabetes, chronic kidney disease undergoing dialysis, and liver disease, particularly if not well controlled. Faculty who are in a greater risk category due to an identified underlying health condition or who are living with a family member² who has one of the aforementioned qualifying health factors, and as a result prefer to teach remotely in lieu of providing in-person instruction should take the following steps.

¹ MFA and employees of other affiliated institutions who have GW faculty appointments should contact their respective employers for questions regarding the Fall 2020 semester.

² A "family member" is defined in accordance with GW's Time Off and Leave Policy.

<u>First</u>, such faculty should make a request to teach remotely by completing the <u>attached</u> <u>Expedited Review Form</u>. **No medical documentation is necessary for this initial step**. The completed form should be submitted directly to the Office for Faculty Affairs at <u>facultyaffairs@gwu.edu</u>.

<u>Second</u>, the Office of the Provost will conduct an initial, expedited review of the request. If the Office of the Provost, in consultation with relevant school dean, department chair, and/or program director, determines in its discretion that the request can be granted without negatively impacting the ability of the school or program to fulfill its in-person teaching obligations, the request will be granted, even if reasonable options/alternatives may be available that would allow the faculty member to safely provide in-person instruction, upon receipt of written certification by the faculty member that: 1) the faculty member or a member of their family with whom they are living has one of the chronic conditions identified by the CDC, or other health condition or impairment that substantially limits a major life activity that places the faculty member or a member of the faculty member's family with whom they are living at greater risk for severe illness from COVID-19; and 2) the condition is not well controlled or would otherwise place the faculty member and/or a member of the faculty member's family with whom they are living at greater risk if the faculty member provided inperson instruction.

If the Office of the Provost determines that there would be such a negative impact, the faculty member will be referred to the GW Equal Employment Opportunity Office (EEO) to request a reasonable accommodation pursuant to the Americans with Disabilities Act (ADA) and in accordance with standard university practices.³ See <u>https://hr.gwu.edu/equal-employment-opportunity</u>. As in any other case, EEO will conduct a review of the request for accommodation, and upon making a determination that the faculty member has a disability that requires a reasonable accommodation, will engage with the faculty member in the interactive process to identify a reasonable accommodation that will not result in an undue hardship to the operations of the university, which may include accommodations that would allow the faculty member to teach in-person. **Please note that faculty may be required to submit medical documentation as part of the EEO review process**.

<u>Finally</u>, faculty in one of the risk categories identified above who would prefer to provide inperson instruction but who believe they may need a reasonable accommodation to do so, and faculty with claimed disabilities that do not place the faculty member at greater risk for severe illness from COVID-19 but that still may require a reasonable accommodation, should contact EEO to engage in the interactive process. EEO may be reached via email (<u>eeo@gwu.edu</u>) or by phone (202) 994-9656.

2. Requests to Teach Remotely NOT Based on Inclusion In Greater Risk Category Due To Health Condition Or Due to Disability. Faculty who do not have an underlying health condition that places them in the Greater Risk Category identified above may nevertheless prefer to teach remotely during the Fall 2020 semester for other reasons, which could include child care obligations due to school/day care closures or some other COVID-19 related reason. The CDC has also identified people who are 65 years old or older who do not otherwise have an underlying health condition as having a greater risk for severe illness from COVID-19, and such individuals therefore may prefer to teach remotely.

³ Requests based upon the qualifying health condition of a family member living with the faculty member will not receive additional review by the EEO Office. Faculty who must care for a member of their family due to a health condition, or who are interested in a period of leave for other reasons, may still qualify for leave, including under the Family and Medical Leave Act, and should utilize those processes for requesting such leave. See https://benefits.gwu.edu/fmla; Faculty Code, Article IV.A.

Such faculty should contact their department chairs and/or deans office to discuss the availability of remote instruction. Please note that the approval is contingent upon the ability of the school or program to fulfill its in-person teaching obligations and is subject to approval by the Provost.⁴

- 3. **Requests for Voluntary Unpaid Leave**. Some faculty have asked whether they might take a voluntary unpaid leave during the Fall 2020 semester in lieu of fulfilling their in-person teaching obligations. Faculty members who would prefer to take a voluntary unpaid leave for the Fall 2020 semester should contact their department chairs and/or deans office to discuss the availability of unpaid leave options resulting in a release from their Fall 2020 teaching obligations. Please note that the approval is contingent upon the ability of the school or program to fulfill its in-person teaching obligations and is subject to approval by the Provost.
- 4. **Spring 2021 Requests**. Requests for remote teaching and/or unpaid leave under these guidelines beyond the Fall 2020 semester will not be considered at this time. Any requests for the Spring 2021 semester, including requests for other forms of accommodation, may be made at a time closer to the beginning of that semester, and may be subject to different university guidelines, consistent with applicable CDC and other federal and local guidance at that time, and applicable law.

Again, I want to thank everyone for their active support in helping GW respond to this unusual situation. If you have any questions or concerns, please contact Vice Provost for Faculty Affairs, Chris Bracey, via email at <u>facultyaffairs@gwu.edu</u> or via telephone at (202) 994-0513.

⁴ Part time faculty who are covered under the Collective Bargaining Agreement with SEIU Local 500 (CBA) and who have been approved to teach remotely under Sections A or B of these guidelines are not guaranteed reappointment. Appointment may still be denied, reduced, or subsequently canceled in accordance with Article V or Article XVIIIA.6 of the CBA.