

Appointment and Employment of Faculty Policy

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Policy: APPOINTMENT AND EMPLOYMENT OF FACULTY

Effective date: July 1, 2017

Review date: July 1, 2021

Revised:

Responsible Party: Office of the Provost

- [Types of Employment Contracts](#)
- [Appointment to the Tenurable Faculty](#)
- [Rank and Title of Tenurable Faculty](#)
- [Appointment to the Non-Tenable Faculty](#)
- [Types of Nontenable Faculty Appointments](#)
- [Research Faculty Appointments](#)

1. TYPES OF EMPLOYMENT CONTRACTS_

Board of Regents Policy

[[BOR Policy Section 702.1](#) - Personnel]

[See also – [BOR Policy Section 706.1](#) – Personnel]

- 1. Appointments to teaching, research, or other faculty positions at each campus of the Montana University System shall be identified as tenurable or nontenable. Tenurable appointments shall be either probationary or tenured.**
- 2. Nontenable appointments are for a specified term and expire automatically without notice at the end of the term unless renewed prior to expiration.**
- 3. Appointments at less than full-time or joint appointments of two or more individuals to a single position may not be tenurable appointments.**
- 4. Service in nontenable appointments does not count towards probationary service for tenure.**
- 5. An appointment not specifically identified as tenurable is a nontenable appointment. A tenurable appointment not specifically identified as tenured is**

probationary.

Procedures:

- 1. Each campus may establish policies for nontenurable appointees regarding other faculty rights and responsibilities, including voting. Such policies may recognize different classes of nontenurable appointments (such as adjunct faculty, adjunct research faculty, visiting faculty, lecturer, etc.).**
- 2. The contract or letter of employment for nontenurable appointees should specify the term of the appointment. In the event the term is not specified in the contract or letter, the term is considered to be the academic time division (quarter, semester, or summer session) during which employment first occurs.**
- 3. If a campus wishes to offer an appointment to a continuing appointee of another campus, the joint appointment must be approved by the campus administration where the faculty member has his regular appointment.**

2. APPOINTMENT TO THE TENURABLE FACULTY_

Individuals are appointed to tenurable faculty positions at a specific rank that is awarded commensurate with their qualifications, responsibilities, and privileges.

The tenurable appointment prior to the award of tenure is that of probationary status. **The appointee remains in probationary status until the appointment is terminated or tenured status is awarded. Unless an individual contract expressly provides to the contrary, the contract term for all tenurable appointees shall be the academic year. Regardless of the term of any individual contract, no such person has, or shall acquire, a right to reappointment for more than an academic year.**

A terminal degree in an area appropriate to the discipline and demonstrated potential to carry out responsibilities for instruction, research, or creative activities relevant to the appointment are normally required for the appointment of tenurable faculty. Different degrees may be designated as "terminal" for different specialties within a discipline, as articulated in the department's Role and Scope document. In exceptional circumstances, candidates who lack the terminal degree requirements articulated in a department's Role and Scope document, but who are outstanding scholars of national or international repute with extraordinary experience and demonstrated potential to carry out responsibilities relevant to the appointment, may be appointed as tenurable faculty.

The rights and responsibilities of tenurable, research and emeritus faculty are described in this Montana State University (MSU) Faculty Handbook and the Montana Board of Regents Policy and Procedures Manual. University policies that apply to all university employees also apply to faculty.

A tenurable faculty member who is given an administrative appointment retains her or his academic title, rank, and capacity to advance in rank, and, if tenured, the right to return to her or his faculty position.

3. RANK AND TITLE OF TENURABLE FACULTY_

The following are designated as the ranks of the faculty at MSU and are the only ranks associated with the process of earning tenure:

- Professor
- Associate Professor
- Assistant Professor

Tenurable faculty may use a title that identifies their department or discipline such as Assistant Professor of Nursing, Associate Professor of Chemistry, or Professor of Landscape Architecture. A

title referring to discipline must be approved by their department head.

a. PROBATIONARY APPOINTMENTS

The total time period of full-time service prior to the acquisition of continuous tenure shall normally not exceed seven academic years, which may include up to three years of full-time service in tenurable ranks at accredited, United States four-year institutions of higher education (or equivalent international institutions of higher education) if specified in the letter of hire.

At MSU, faculty must apply for tenure no later than their sixth year, unless extended under the [Extending the Tenure Review Period Policy](#). If the application is successful, tenure is awarded the following contract year. If the faculty member has been awarded credit for service at another institution, the credit for service will be applied as if served at MSU; the faculty member must apply for tenure no later than the sixth year of service, including the credited years. **Exceptionally meritorious cases may be reviewed earlier than the sixth year and brought earlier to the Board of Regents if reviewed as specified in in the [Retention, Promotion and Tenure Review](#) policies of the university and recommended by the provost and president. Time spent on authorized leave of absence from the campus will not count as probationary period service, unless the faculty member and the president or their designee agree to the contrary, in writing, at the time leave is granted.** [See: [BOR Policy 706.1](#) (B)]

b. REAPPOINTMENT AND NON-REAPPOINTMENT OF PROBATIONARY FACULTY

A tenurable appointee with probationary status (hereinafter referred to as a probationary appointee) has the right to serve the specified term of the appointment and may not be discharged without cause during that term.

Reappointment of probationary appointees shall be at the discretion of the employer. Written notice of non-renewal of a probationary appointee shall be mailed or given by the president . . . or his or her designee by March 1 of the first year of service, by December 15 of the second year of service, and by June 30 prior to the final year of appointment in the third or later years of service. A decision not to renew a probationary appointee must be approved by the provost and president.

Failure to provide a probationary appointee with the required notice period shall not result in automatic reappointment or create any right for an additional term. The employer shall have the option of providing employment or severance pay in lieu of any portion or all of the notice to which the employee is entitled, so long as the extension of employment or severance pay is commensurate with the notice to which the employee is otherwise entitled. [See: [BOR Policy 706.1](#) (C)].

c. LETTER OF HIRE/PERCENTAGES OF EFFORT

A faculty member's Letter of Hire and Percentages of Effort (percentages of teaching, scholarship, and service) identifies the general expectations of the faculty member. The letter of hire identifies the faculty member's initial Percentages of Effort, as well as more specific expectations of the faculty member's appointment.

A faculty member's Percentages of Effort may evolve over time as the needs and goals of the department and the faculty member change. Percentages of Effort may be revised as described in the policy on [Annual Review of Faculty Policy](#).

The faculty member will also receive specific assignments for each contract term (e.g., teaching, advising, and committee assignments) consistent with their percentages of

effort and is expected to perform the duties and responsibilities of each term assignment.

4. APPOINTMENT TO THE NON-TENURABLE FACULTY

Individuals are appointed to nontenurable positions at a specific title, that is awarded commensurate with their qualifications and responsibilities. Nontenurable faculty who are members of the collective bargaining unit (non-research faculty appointed at 0.5 FTE or more) are subject to the terms and conditions of the [Collective Bargaining Agreement](#) [CBA] of the Non Tenure Track Faculty [NTT CBA]. A nontenurable faculty member's Letter of Appointment and the applicable CBA, BOR, and university policies describe the university's contractual relation to the individual.

Individuals appointed to nontenurable faculty positions are not eligible for tenure. **Time in nontenurable appointments does not count towards tenure.** [See [BOR Policy 702.1](#)]

a. RIGHTS AND PRIVILEGES

Nontenurable appointments carry faculty and campus privileges that pertain to tenurable faculty, unless otherwise limited by the Faculty Handbook, Board of Regents Policy and Procedures Manual, the MSU Personnel Policies and Procedures Manual, other applicable MSU policy manuals, and the terms of any individual contract. Departments and colleges may extend to nontenurable faculty the right to vote in departmental or college meetings, serve on committees, and vote on curricular matters.

b. INITIAL DETERMINATION OF TITLE

The title of a nontenurable faculty appointee is determined at the time of hire and is dependent upon the experience and qualifications of the appointee. The titles available for NTT faculty who are members of the NTT Collective Bargaining Unit are found in the [NTT CBA](#). The titles available for all other nontenurable faculty are found in Sections 5 and 6 of this policy.

c. APPOINTMENT TO MULTIPLE YEAR CONTRACTS

Unless otherwise specified, the duration of a Fiscal Year MUS contract or Letter of Appointment is from July 1 of one year through June 30th of the next year. The duration of an Academic Year appointment is August 15 of one year through May 15 of the next year. However, because of the special needs of an academic department, a non-tenure track faculty member may be appointed to a multiple year contract consistent with the requirements of [BOR Policy 711.3](#) and the [NTT CBA](#).

d. PERFORMANCE EVALUATION

Faculty in nontenurable positions are to be evaluated in accordance with the [NTT CBA](#), if applicable, or departmental evaluation procedures.

e. ADVANCEMENT

A nontenurable faculty member who is reappointed from term to term may advance within titles in accordance with the [NTT CBA](#), if applicable, or departmental policies and procedures. Advancement in title creates no additional right to reappointment from term to term.

f. TERMINATION OF EMPLOYMENT

Nontenurable faculty positions are subject to the availability of funds. In the event that

funding is not available or is not sufficient to support the position, the appointment may be terminated before the expiration of the term of the appointment.

Nontenurable faculty appointments are for a specified term and expire automatically without notice at the end of the term unless renewed prior to expiration (see [BOR Policy 702.1](#)). There is no continuing right to reappointment to any nontenurable position, and reappointment is solely at the discretion of the university.

5. TYPES OF NONTENURABLE FACULTY APPOINTMENTS_

a. ADJUNCT APPOINTMENTS

An adjunct faculty member is a nontenurable faculty member appointed at less than 0.5 FTE who is primarily engaged in instruction on an at-need or situational basis and is paid by the university for their services.

The following title is used to appoint adjunct faculty:

- Adjunct Instructor

b. AFFILIATE FACULTY APPOINTMENTS

Affiliate faculty appointments are unpaid, courtesy appointments of persons with appropriate professional or academic credentials who will make a substantive contribution to the department and the university in fulfilling its mission. The Affiliate's credentials will be reviewed to determine whether they are appropriately qualified for the assignment. Affiliate appointments may be granted for up to one (1) academic year, are renewable, and may be discontinued at any time upon notification from the university. Appointment as affiliate faculty does not grant eligibility for university benefits or faculty rights under this handbook. All external appointments must follow [university policy](#). Departments may identify tenurable faculty in other departments at the university as affiliate faculty. Departments that appoint affiliate faculty shall have guidelines to govern such appointments.

The following title is used to appoint individuals to non-paid, courtesy positions at the University:

- Affiliate Faculty

c. VISITING FACULTY APPOINTMENTS

Visiting faculty are nontenurable faculty members who have a terminal degree or outstanding artistic or scholarly merit and who are hired on a temporary basis to engage in instruction, research, or creative activity. Initial assignment of title should be based on qualifications comparable to, including research expectations, of tenurable faculty in the department. Normally, a Visiting faculty member will not serve in these appointments for more than three years. The following titles are used to appoint individuals who have academic credentials commensurate with the position or who have outstanding artistic or scholarly merit:

- Visiting Professor
- Visiting Associate Professor
- Visiting Assistant Professor
- Visiting Artist/Scientist or appropriate disciplinary descriptor

6. RESEARCH FACULTY APPOINTMENTS_

Research faculty are nontenurable faculty whose assignment principally involves time and effort on research projects funded by university grants and contracts, administered by the Office of Sponsored Research. Their primary responsibility is to contribute to the research mission of the university. Individuals appointed to the research appointments described in this section are not eligible for tenure. Time in nontenurable research appointments does not count toward tenure.

Nontenurable research faculty are appointed on letters of appointment; their appointments are subject to the availability of funds. If funding is not available or is not sufficient to support a position, the appointment may be terminated before the expiration of the term of the appointment.

Nontenurable research faculty appointments are for a specified term and expire automatically without notice at the end of the term unless renewed prior to expiration. There is no continuing right to reappointment to any nontenurable research faculty appointment and reappointment is solely at the discretion of the university.

a. RIGHTS AND PRIVILEGES

Research faculty carry all faculty and campus privileges, unless otherwise limited by the Faculty Handbook, Board of Regents Policy and Procedures Manual, the MSU Personnel Policies and Procedures Manual, other applicable MSU policy manuals, and the terms of any individual contract. Departments and colleges may extend to research faculty the right to vote in departmental meetings, serve on committees, and vote on curricular matters.

b. RESEARCH FACULTY TITLES

The title of a research faculty member is determined at the time of hire and is dependent upon the experience and qualifications of the appointee. Initial assignment of title should be based on qualifications comparable to the research criteria and standards expected of tenurable faculty in the department. In exceptional circumstances, outstanding scholar-researchers of national or international repute who lack the terminal degree may be appointed to these titles. However, in most cases, a terminal degree and research experience and responsibilities are minimum requirements for appointment to these titles.

The following titles are used for experienced researchers who have qualifications comparable to those expected of the tenurable ranks; the appointee is expected to make significant contributions to the research field:

- Research Professor
- Associate Research Professor
- Assistant Research Professor

In addition to their research responsibilities, research faculty may have educational and service responsibilities, provided these activities are in compliance with the regulations and restrictions of the agency funding their appointment and consistent with Graduate School policies. These activities include, but are not limited to, supervising graduate students, chairing of graduate committees, serving on graduate student committees, teaching seminars and courses, and serving on departmental or college curriculum committees. If the faculty member is not funded by a grant or contract that allows educational and service activities as allowable costs, the time and effort on any educational or service activity, if such activity is expected of the faculty member, may not be charged to a grant and must be supported by other funds.

c. ANNUAL EVALUATION

Research faculty appointees are to be evaluated annually in accordance with adopted

evaluation procedures of the department. Evaluation of research faculty should take into account their contributions to the research and, if appropriate, the educational and service missions of the university.

d. ADVANCEMENT

Individuals who are reappointed from term to term may advance within these titles in accordance with departmental policies and procedures which are comparable to the research expectations for tenurable faculty. The policies will be included in the department's role and scope documents. Advancement in title creates no right to reappointment from term to term.