

TITLE: Standards for Initial Appointment and Continuing Employment of Faculty

AUTHOR: Faculty Senate

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EFFECTIVE DATE: January 11, 2010

PURPOSE: To establish standards identifying the types of faculty appointments and to set guidelines for the retention and continued employment of faculty

REVIEWER AND REVIEW DATE: CAO
Fall 2020 and every five years thereafter

OPERATING DETAILS:

1. Two employment tracks are recognized for teaching faculty. One track is designated non-tenure; the other, tenure track. The track identified for each faculty member will be designated in his or her contract.
2. Tenure track positions will be identified at the time a position is advertised and will include appointment at the rank of assistant, associate or full professor.
3. Part-time and temporary positions will be non-tenure track.
4. Vacancies for permanent positions at the instructor rank will be non-tenure track positions and persons hired to fill these vacancies shall be so notified when first employed.
5. At the discretion of the appropriate administrators, faculty positions may be identified as non-tenure track at the time they are advertised, even though they may be filled at the assistant professor rank.
6. Faculty members holding the rank of instructor shall be employed on one-year contracts renewable at the discretion of the institution. Full-time employees in one of the professional ranks may be granted continuing employment under the provisions outlined below.
7. An instructor in a non-tenure track position will be eligible for promotion to assistant professor and assignment to a tenure-track position provided he or she meets appropriate criteria established at the time of initial appointment.
8. Beginning with a tenure-track appointment the probationary period shall be six academic years, three of which may have been met at the rank of instructor. Upon written agreement between the institution and the faculty member, credit up to a maximum of four (4) years toward fulfillment of the minimum probationary period may be allowed for service at one or more other institutions of higher education. Such allowance is to be granted only to an individual who possesses exceptional professional qualifications and achievements and is not to be construed as exempting said individual from any other institutional policies and procedures governing the awarding of tenure. Upon reappointment after the conclusion of the probationary period, a professor of any rank shall have continuing employment only when so informed in writing by the head of the institution.
9. Except under unusual circumstances described in item 8, to obtain tenure, a professor must have been employed continuously at the University for six years prior to tenure being awarded. The procedures for the awarding of tenure are described in P.S. #1304. Professors will be notified by the end of the sixth year if the President

- has approved the recommendation for tenure. The next year's contract will reflect the awarding of tenure and the terms of continuous employment. If tenure is not to be awarded, the professor will be given employment for one more year to allow him or her to search for another position.
10. Teaching faculty may be appointed to graduate faculty or to associate graduate faculty.
 - a) Faculty recommended for appointment to the graduate faculty must hold an earned doctorate or have special competence in an applied field in which the member will serve (teach), e.g., art, music, accounting; and demonstrate satisfactory evidence of scholarly achievement, e.g., publications, research, creative accomplishments, participation on regional or national programs within the member's subject field of study, and successful classroom teaching. The Dean will make a recommendation for appointment to the graduate faculty to the Director of Graduate Studies. This recommendation must include evidence of need for members on the graduate faculty. The Director of Graduate Studies will then make a recommendation to the Graduate Council, which must approve the appointment.
 - b) Faculty recommended for appointment to the associate graduate faculty must be members of the MUW faculty who have completed a minimum of 30 semester hours beyond the master's degree or who hold the master's degree and have special competence in a specific field may be approved to teach specific courses in their field of specialization. The Dean or the Chief Academic Officer, as appropriate, will make the recommendation for appointment to the associate graduate faculty to the Director of Graduate Studies. The Director of Graduate Studies will then make a recommendation to the Graduate Council, which must approve the appointment.
 11. All faculty are subject to a yearly evaluation.
 12. If a tenured employee's annual evaluation is unsatisfactory, the Department Chair and the Dean will confer with the individual detailing a plan for improvement for the coming year's appointment. The faculty member will be informed that satisfactory improvement will result in continuation of tenured status, and unsatisfactory improvement may result in termination for cause (see Policy Statement 1312: Post-Tenure Review).
 13. Option of the plan of improvement could include, but are not limited to, leave of absence for up-dating skills and close evaluation of specified weak areas with satisfactory improvement criteria clearly specified. A copy of the plan of improvement and the method of evaluation will be filed with the CAO.
 14. If the faculty member cannot agree to the plan of improvement, he or she may appeal to the Faculty Appeals Committee which will act in an advisory capacity to the CAO. If the Committee recommends that the appeal be sustained, it will explain the basis for its action and will recommend revisions that it feels will be equitable to both parties involved. Using the Committee recommendations as a guide, the plan of improvement will be revised until acceptable to the Department Chair and the Dean and the faculty member or, in the case of some units, the Director and the faculty member.
 15. If the appeal of the improvement plan is rejected, the faculty member must either agree to the plan as presented or accept notice of dismissal for cause at the end of the next academic year.
 16. As specified by the Board of Trustees, termination of service of a person with continuing employment will be made only under such extraordinary circumstances as follows:
 - a) Financial exigencies as declared by the Board of Trustees;

- b) Termination or reduction of programs, academic or administrative units as approved by the Board of Trustees;
 - c) Malfeasance, inefficiency or contumacious conduct;
 - d) For cause.
17. Termination for cause of a continuous appointment or the dismissal for cause of a faculty member previous to the expiration of a term appointment shall not be recommended by the executive officer of the institution without submitting the recommendation of the tenure committee. If requested, the administration of the institution shall arrange for a hearing. In all cases the accused faculty member, at least one month before the hearing, shall be informed in writing of the charges against him or her and shall have the opportunity to be heard in his or her own defense. He or she shall be permitted to have with him or her an advisor of his or her own choosing who may act as counsel. If a faculty member so desires, there shall be a full stenographic record of the hearing available to the parties concerned.
18. Faculty on continuous appointment who are dismissed because of financial exigencies or the termination or reduction of programs shall be employed for a minimum of one full year from the date of notification.
19. Faculty on continuous appointment who are dismissed for reasons of malfeasance, inefficiency, or contumacious conduct or for cause shall have their contracts terminated at any time; however, at the discretion of the institution and the Board of Trustees, any faculty member's salary may be paid, and he or she may be relieved of teaching duties, appointment, and privileges when he or she is dismissed for any reason stated in item 16.
20. A probationary faculty member above the rank of instructor who is not to be reappointed shall be given notice of dismissal not later than three months before the expiration of his or her appointment in the first year of service; not later than six months before the expiration of his or her appointment in the second year of service; and not later than twelve months before the expiration of his or her appointment after two or more years of service. Probationary faculty members dismissed for reasons (a) or (b) as stated in item 16 shall be given a thirty (30) day notice. Probationary faculty members dismissed for reason (c) or (d) as stated in item 16 shall have their contracts terminated at any time.
21. When a faculty member is to be terminated, he or she should receive the notice of termination at the earliest possible moment but not later than the end of the current contract year.
22. Resignation should be tendered at least three months prior to the expiration date of the then current contract year.
23. Faculty members who feel they are being unjustly terminated may appeal this action to the Faculty Appeals Committee which will, upon request, perform the following duties:
- a) Review cases of non-renewal of contracts for tenure track employment
 - b) Review cases of the dismissal of tenure track employees
 - c) Review cases of dismissal or termination of tenured faculty
 - d) Recommend appropriate action for each case to the CAO.