

Policy: Non-tenurable Academic Appointments
Policy Number: 143.0
Date Adopted: 2/8/93; revised 4/8/99; revised 4/19/99; revised 7/2001
References: Montana University System Section 702.1; CBA
Approved By: George M. Dennison, President

POLICY:

The University of Montana intends to fulfill its mission through reliance upon persons duly appointed as members of the regular faculty who engage in the full range of traditional faculty activities, namely, teaching, research and creative activity, and service. Accordingly, the University will make use of non-tenurable appointments only for special or specialized purposes and/or limited periods.

I. Categories of Non-tenurable Appointments:

A. Specialized and/or Special Purpose Appointments for Instruction

1. **Lecturers:** Persons appointed as members of the faculty with duties devoted primarily to teaching, subject to reappointment annually at the University's discretion. Lecturers can qualify for salary increases on the basis of performance. On occasion, Lecturers may engage in service activities as part of assigned duties.
 - a. A Department or equivalent academic unit can have no more than 20 percent of the total FTE regular faculty as Lecturers and must demonstrate a critical need that a) regular faculty members cannot cover, and b) does not require that the person meeting the need holds a terminal degree.
 - b. The appropriate Dean and Provost will review and recommend for approval by the President those requests for Lecturer positions that meet the criteria, and will identify and provide for the ongoing funding requirements.
 - c. A person who has attained distinction in the field may receive the title of Distinguished Lecturer at an appropriate salary. Note: Further reference to Lecturer in this Policy includes Distinguished Lecturer.
2. **Adjunct Faculty:** Persons appointed as ranked members of the faculty primarily to provide classroom teaching supported by instructional program funding.
 - a. Adjunct Faculty appointments at .5 FTE and above are authorized to enable Departments a) to fulfill course obligations on a temporary basis replacing absent faculty, or b) to meet temporary and unanticipated

enrollment growth. Adjunct Faculty members holding appointments of .5 FTE and above can be reappointed at the University's discretion.

- b. Adjunct Part-Time Faculty appointments at less than .5 FTE are authorized to enable Departments to fulfill course obligations in special or specialized areas on a part-time basis.
3. **Limitation:** All non-tenurable instructional faculty appointees as defined in Section A, when aggregated, shall not exceed 25 percent of total faculty FTE within a Department, School, or College.*
- B. **Visiting Faculty:** Persons appointed as ranked members of the faculty who hold faculty positions at other institutions of higher education (domestic or foreign).
1. Visiting Faculty appointments may be renewed for two academic years at the University's discretion.
 2. No individual may hold a Visiting Faculty appointment for more than three (3) academic years in succession.
- C. **Research Faculty:** Persons appointed as ranked members of the faculty primarily to conduct research with support from grants, contracts, or outside funding sources susceptible to discontinuance by persons or entities other than the University. Research faculty members on non-tenurable appointments can receive salary increases, merit increases, and promotions on the basis of assigned activity consistent with the requirements of the CBA and Unit Standards, and contingent upon available funding. Such increases cannot come from the pools established by the CBA for regular faculty. Any recommended salary increase beyond the salary floors requires approval and the identification of funding by the Dean and the Provost.
- D. **Faculty Affiliates:** Persons not principally employed by the University, or principally employed by the University in other than an academic capacity, but who contribute to the instructional, research and creative activity, or service functions of the University, usually with no or minimal compensation, who hold courtesy appointments as Faculty Affiliates. The provisions under Section II and III below do not apply to these appointments. Colleges, Schools, and Departments recommend renewal of these appointments annually to the Provost.
- E. **International Visiting Scholars :** International visitors typically under approved exchange agreements, but who lack the credentials for appointment as Visiting Faculty, who hold appointments as International Visiting Scholars in recognition of their participation in the University's instructional, research and creative activity, or service functions. International Visiting Scholars typically receive compensation from their home institutions and come to The University of Montana by invitation and under an IAP-66 form in compliance with the University's Visiting Scholar

Guidelines. The provisions of Sections II and III below do not apply to these appointments.

- F. Clinical Faculty:** Persons appointed as ranked members of the faculty with duties devoted primarily to teaching while providing clinical services at practice sites and who may also contribute to the research and creative activity of the university. Rank, compensation, and workload vary with the nature of the assignment. Clinical faculty may be reappointed at the discretion of the University.

*NOTE: Sections VII.A and VII.F below qualify this provision.

II. Appointing Authority and Conditions:

In accordance with the appointment procedures and conditions stipulated below, the Provost recommends to the President those persons qualified to hold appointments in the non-tenurable categories listed above in Section I.

- A. There is no right of reappointment of any Non-tenurable Appointment.
- B. Prior to initiating a search process to identify potential candidates for non-tenurable appointments, the appointing College, School, or Department, must first establish the need for such appointments, as required by this Policy, and secure approval of them from the Chair, Dean, and Provost.
- C. Equal opportunity and non-discrimination laws and procedures apply for all non-tenurable appointments, requiring Department involvement, Dean approval, and adherence to University requirements for advertising. Appointments must be recommended by the Department faculty based upon Unit Standards and policies to ensure that the appointees have the requisite credentials to teach and/or conduct research in the Department. All Lecturers, Adjunct, Visiting, Clinical, and Research Faculty will participate in an employee orientation prior to initiation of their employment with the University.
- D. To recommend persons for non-tenurable appointments, the College, School, or Department must first establish the assignment and formulate a position description. The description must specify the assignment, expectations, FTE ratio, and salary. The College, School, or Department must provide the appointee with a copy of the description, the Unit Standards, and this Policy regarding non-tenurable appointments. All appointments are subject to approval by the Dean, Provost, and President.
- E. Established University salary floors for equivalent rank will be prorated for appointments other than full-time. Deans are responsible for assigning faculty workload, subject to the approval of the Provost, with due consideration to the recommendations of the Department Chair. Non-tenurable faculty may be paid more than the indicated percentage of the salary floor, based on the qualifications of the

applicant and available funding, but never less than the indicated percentage. Lecturers receive compensation no less than the floor specified for Instructors.

- F. Colleges, Schools, and Departments evaluate all faculty members annually, according to established processes. The evaluations must reflect assignments and expectations. Faculty with no research and creative activity or service requirements will not stand for evaluation in those areas, but the evaluations will acknowledge such professional activities when actually performed. The evaluations provide the opportunity to commend superior performance and provide guidance about weaknesses.
- G. When sufficient funds become available and the functions warrant, Colleges, Schools, and Departments may request the establishment of tenurable positions by the Dean and Provost thereby obviating the need for Adjunct appointments. Recruitment to fill all new positions will comply with established equal opportunity policies and procedures.

III. Appointment Procedures:

The following procedures govern non-tenurable appointments:

- A. The appointing College, School, or Department secures prior approval of the non-tenurable position(s) before accepting applications.
- B. The individual submits credentials to the Program Director, Department Chair, or, where applicable, appropriate Dean;
- C. The School or Department faculty (see section II.C above) approves the recommended appointee, and the appropriate Program Director, Department Chair, and Dean support the recommendation to the Provost; and
- D. The Provost makes an independent recommendation supporting the appointment to the President.

IV. Termination, Remedies, and Student Complaints:

The following provisions apply to all non-tenurable appointments.

- A. Colleges, Schools, and Departments must comply with applicable Board of Regents policy and University policies and procedures in order to terminate non-tenurable faculty members for cause or to discontinue non-tenurable faculty members before contracts expire.
- B. After the third consecutive year of service, Lecturers and Clinical Faculty shall have the right to one semester's notice of the intention to terminate the relationship.

- C. Non-tenurable faculty members covered by the CBA have recourse to the Grievance Procedure outlined in CBA, Section 19.000, to redress violations of this Policy. Faculty not covered by the CBA can seek corrective action from the appropriate Dean, with right of appeal to the Provost and ultimately President.
- D. Student complaints against non-tenurable faculty—except in the School of Law—follow the procedures in accordance with CBA, Section 21.000.

V. Annual Report:

The Office of Institutional Research will prepare an annual report for submission to the Faculty Senate during the September meeting. The report will list the head count and FTE of faculty members serving on non-tenurable appointments by College, School, and Department for the prior academic year; the student-credit-hours generated by those faculty members; and the overall totals by College, School, Department, and University.

- A. The report will provide the names, positions, base salaries, FTEs, percentages of each FTE allocated to instruction or research, health and retirement benefits, AY or FY contracts, ranks, titles, and funding sources for all appointments.
- B. The report will also provide the percentage of tenured and tenurable FTE to non-tenurable FTE identified by College, School, and Department and in a University-wide summary.

VI. Titles and Ranks:

The following ranks and titles shall be used for Adjunct, Visiting, Research, and Clinical appointments depending upon the qualifications of the appointee:

- A. *Lecturer* may or may not have a terminal degree, depending upon assignment and background or experience, subject to annual reappointment at the University's discretion, with one semester's advance notice of intent not to reappoint;
- B. *Postdoctoral Scholar* has a doctoral degree in the discipline and will conduct research under the supervision of a faculty member holding professorial rank;
- C. [*Adjunct, Visiting, Research, or Clinical*] *Instructor* has the qualifications for Instructor stipulated in the CBA;
- D. [*Adjunct, Visiting, Research, or Clinical*] *Assistant Professor* has the qualifications for Assistant Professor stipulated in the CBA;
- E. [*Adjunct, Visiting, Research, or Clinical*] *Associate Professor* has the qualifications for Associate Professor stipulated in the CBA; and,

- F. *[Adjunct, Visiting, Research, or Clinical] Professor* has the qualifications for Professor stipulated in the CBA.

VII. Implementation:

This Policy becomes effective on 1 July 1999. Compliance will be achieved in phases as outlined below.

- A. All aspects of the Policy, *except* the limitation on the percentage of faculty FTE in I.B.3, take effect on 1 July 1999. Appointments made from that date forward will adhere to the terms of the Policy.
- B. By 1 November 2001, Deans will develop and submit plans for achieving compliance to the Provost for approval by the President and transmittal to all planning committees and responsible administrative officers.
- C. In accordance with the intent of this Policy, the filling of vacant tenure lines will have high priority in fiscal decision making in the 2000-2001 biennium.
- D. The goal of bringing the permanent faculty to an appropriate size will have the highest priority in the development of the 2004-2005-budget request and its advocacy to the Regents, the Governor, and the Legislature.
- E. In accordance with the CBA, the Provost will submit progress reports to the Faculty Senate for the September meeting of the Senate in 2001, 2002, 2003, 2004, and 2005.
- F. Special exceptions with regard to percentages of faculty FTE in I.A.2.c. will be made when special expertise is required to enhance academic quality.

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