

Montclair State University

July 1, 1995



June 30, 1999

Local Selected Procedures Agreement

SELECTED PROCEDURES AGREEMENT JULY 1, 1995 - JUNE 30, 1999

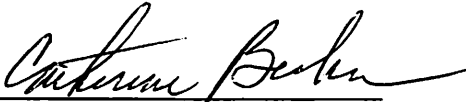
Articles XXXI and XXXIII of the contract between the State of New Jersey and the Council of New Jersey State College locals AFT provide for local resolution of issues. This document serves as the memorandum of agreement between the Montclair State University Administration and the Montclair State University Faculty Association, Inc. - Local 1904 AFT/AFL-CIO.

In order to facilitate the implementation of local procedures where applicable the appropriate material from the State contract is quoted in this document. When this material is quoted, it appears in *Italic Times New Roman typeface*. Locally negotiated procedures appear in Arial Roman typeface, the typeface of this letter.

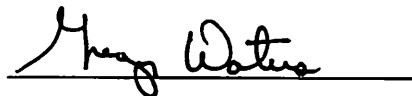
Suspense dates for these procedures have not been included in the text, but will be provided in the agreed administrative calendar.

The procedures outlined in this document provide the Board of Trustees of Montclair State University with the information and recommendations needed to make the final decisions on personnel actions. The Board of Trustees is the final accountable agent and has the final authority in these actions under the laws of the State of New Jersey.

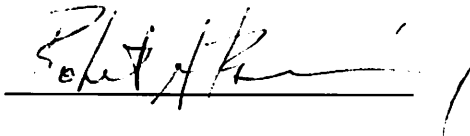
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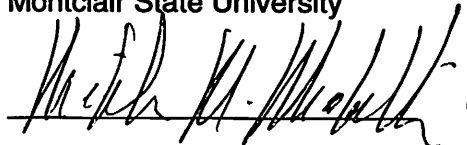
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Date: May 15, 1998

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MONTCLAIR STATE UNIVERSITY SELECTED PROCEDURES AGREEMENT
July 1, 1995 - June 30, 1999

1. COMMITTEES REQUIRED TO IMPLEMENT UNIVERSITY PERSONNEL PROCEDURES

1.1 DEPARTMENT LEVEL

1.1.1 DEPARTMENT PERSONNEL ADVISORY COMMITTEE (DPAC)

1.1.1.1 Composition

The composition and length of term of office of the department PAC will be determined at the department level by democratic process, except that no department chairperson, nor any candidate in his or her tenure decision year, may serve. No candidate for promotion may participate in the promotional procedures in the department PAC, but may serve with regard to reappointment and tenure decisions. All members of the department PAC must be tenured. Exceptions to this rule require written approval from the Overview Committee. In the event that a department decides that an insufficient number of eligible members is available for requisite personnel actions, it may request that additional members be selected from other departments within the College/School or the University. This procedure, if adopted, will be submitted to the Overview Committee for acceptance.

Departments are expected to elect their College/School PAC representative before constituting the department PAC. Exceptions must be sought from the Overview Committee.

1.1.1.2 Term

The election of the PAC or the filling of vacancies on the Committee should take place during the month of February. Persons elected should assume office by March 25.

No person may serve more than three (3) consecutive years.

1.1.1.3 Function

In addition to any other duties assigned to it, the department PAC, whose function is limited to personnel actions only, is responsible under the terms of this Agreement for evaluation and recommendations concerning the following:

- Appointments
- Reappointments
- Tenure
- Promotion
- Sabbaticals

1.1.2 STUDENT INPUT COMMITTEES (SIC)

Due to the wide variation in practices by departments, the existence of such a committee is permitted but not required. It is the prerogative of the departmental faculty to choose the student or other non-faculty personnel group to administer the questionnaire used in the faculty personnel process. The group must conform to the rules for student input into faculty personnel decisions found in Section 2.5 of the General Guidelines for Personnel Actions.

1.2 COLLEGE/SCHOOL LEVEL

Each year the dean will meet with the department chairpersons and the department PAC chairpersons, prior to the initiation of the annual personnel actions, to discuss the process that will be used during that year.

1.2.1 COLLEGE/SCHOOL PERSONNEL ADVISORY COMMITTEE (C/SPAC)

1.2.1.1 Composition

The composition and the term of office of the College/School PAC will be determined by the faculty of each College/School or by the College/School Senate in consultation with the dean, except that no member of the administration, department chairperson, department PAC chairperson, department PAC member, non-tenured faculty member, or individual applying for promotion, may serve. No individual may serve at more than one level of review and recommendation.

Exceptions to this composition must be submitted to the Overview Committee for its written approval.

Colleges/Schools are expected to elect their University Promotions Committee representatives before College/School PACs are constituted. Exceptions must be approved by the Overview Committee.

1.2.1.2 Term

The election of the College/School PAC or the filling of vacancies should take place during the month of February. Persons elected should assume office by March 15.

No person may serve more than three (3) consecutive years.

1.2.1.3 Function

The only function under the terms of this Agreement is consideration of promotions for promotion slots allocated to Colleges/Schools. It will be the responsibility of this Committee to evaluate, recommend and provide a list of the number and types of ranks of regular promotions to correspond with the recommendations of the Allocations Committee. A written list(s) of final recommendations and alternates will be developed in conjunction with the dean and will be forwarded to the VPAA as provided in the promotions procedures Section 4.2.3.3.2.

1.2.2 COLLEGE/SCHOOL RESEARCH COMMITTEE

1.2.2.1 Composition

The composition and term of office of the College/School Research Committee will be determined by the faculty of each College/School by democratic process.

1.2.2.2 Function

The College/School Research Committee will annually process applications of faculty members for research support and forward the recommendations to the College/School dean.

One of the functions of the Committee is to develop and disseminate procedures, guidelines and methods of reporting utilized in recommending support for research. The guidelines developed by each College/School must be submitted to the Overview Committee for acceptance.

1.3 UNIVERSITY-WIDE COMMITTEES

1.3.1 ELECTION PROCEDURES FOR UNIVERSITY-WIDE FACULTY COMMITTEES

Prior to the election of the department and College/School PACs, the following All-University committees must be elected at the College/School level in an election conducted by the Association/Union College/School representative and the dean's office between the beginning of the Spring term and February 15.

Career Development Committee
University Faculty Review Board
University Promotions Committee
Sabbatical Review Committee

The Association/Union College/School representative will forward a list of the successful candidates to the office of the VPAA and to the chairperson of the Association/Union Elections Committee.

Colleges/Schools failing to follow this procedure within the prescribed time frame will be deprived of representation on the committees involved.

It is the responsibility of the Association/Union and the University Administration to convene the first meeting of each of the committees. The committees will select their own chairpersons. At the first meeting of each committee, the Union representative and a representative of the administration will give the charge to the group. Unless otherwise noted, the term of service on each committee is one year commencing July 1.

1.3.2 UNIVERSITY FACULTY REVIEW BOARD (UFRB)

1.3.2.1 Composition

The University Faculty Review Board will consist of one elected tenured faculty member and one elected tenured alternate from each of the Colleges/Schools and one elected member and alternate from the library.

The Union and the administration will each appoint an ex officio member without vote to serve as observer for their constituents and as resource persons for the Board.

No member of the administration, department chairperson, department PAC chairperson, or College/School PAC chairperson may serve. No individual may serve at more than one level of review and recommendation.

Exceptions to this composition must be submitted to the Overview Committee for its written acceptance.

A duly constituted member of the Faculty Review Board may be required to defer to his or her alternate and step aside or absent him/herself from the deliberations on a particular case as a result of an appellant challenge that has been approved by a majority vote ruling of the Overview Committee. This does not preclude a Board member from voluntarily making a determination to defer to an elected alternate.

1.3.2.2 Term

The members of the University Faculty Review Board will be elected for a term of one year. The Board will elect its own chairperson. In order to provide for continuity, the Board will elect one member to serve one additional year as an ex officio member without vote. This election must take place at the final meeting of the UFRB. The organizational meeting of the Faculty Review Board must take place no later than October 1 of the Fall semester.

1.3.2.3 Function

The function of the Board will be to hear appeals concerning reappointments, tenure, and sabbaticals. The Board will consider only cases in which the faculty member alleges that the personnel action taken was based upon inadequate consideration.

The Board will not hear cases that are in the realm of the grievance procedure as described in Article VII, Section B, of the *State Contract*.

The candidate may file an appeal on the grounds of inadequate consideration when that individual has reason to believe that a prima facie case can be established to the effect that a full and fair consideration was denied the appellant either through acts of omission (e.g., failure to evaluate entire vita) or commission (e.g., undue emphasis given to certain specializations within a discipline).

1.3.2.4 Procedure

The University Faculty Review Board will develop and disseminate guidelines designed to inform the University community and assist in the appeal process.

Guidelines will include but not be limited to notices of scheduled hearings and requests for supportive documentation.

Appellants must provide the Board with all pertinent materials generated at the department and College/School levels.

These include: Statement of the basis of the complaint, where the alleged inadequate consideration took place, the individuals involved, significance of the alleged inadequate consideration and the pertinent documents pertaining to the personnel action or recommendations being appealed.

The appellant may request that the dean of the College/School involved forward the reappointment package or other pertinent documents to the Review Board.

The appellant will submit to the chairperson of the UFRB a formal written appeal form stating in detail:

- (1) the basis of the complaint;
- (2) where alleged inadequate consideration occurred, and the pertinent individuals involved;
- (3) significance of alleged inadequate consideration.

The chairperson of the UFRB must submit the appeal to the initial hearing subcommittee of the UFRB. This subcommittee will consist of three of the UFRB alternates and the past chairperson.

The subcommittee will decide, on the basis of the written material, whether or not alleged inadequate consideration was sufficiently demonstrated to warrant a full UFRB hearing.

The University Faculty Review Board will provide a copy of the formal written appeal as filed to all parties named in the complaint of inadequate consideration. This copy must be provided at least three (3) working days prior to the scheduled hearing.

Persons named in the complaints will be asked to provide input by attending the hearing scheduled for the appellant or by submitting written responses to the Faculty Review Board.

The UFRB will inform all parties to an appeal that a hearing has been scheduled. Both the appellant and the person(s) against whom the appeal is brought must be given the opportunity to be present during the entire presentation of the materials to the Board. An appropriate representative of the bargaining agent may be present if requested by either party.

The University Faculty Review Board has the responsibility to provide an opportunity for hearing the views of the individuals against whom the appellant has brought an appeal.

By majority vote, the UFRB must, after hearing all the evidence,

(1) rule that the faculty member has not presented a prima facie case that inadequate consideration has been given and rule against further hearings;

or:

(2) determine that the faculty member has presented a prima facie case that there has been inadequate consideration resulting in a palpable loss.

If the UFRB decides that no prima facie case of inadequate consideration has been presented, the appellant must be informed of this decision in writing.

If, in the opinion of the UFRB, the faculty member has presented a prima facie case of inadequate consideration resulting in a palpable loss, the UFRB must submit in writing to the President or her or his designee its views on the nature and extent of the inadequate consideration and its recommendation regarding the appeal. A copy of this communication may also be sent to the appellant and to the person(s) whose decision(s) or recommendation(s) was (were) appealed.

If, in the opinion of the UFRB, more than one case of inadequate consideration has occurred in the allocation of sabbaticals, the cases must be reported to the President or her or his designee in rank order. This rank order must reflect the severity of the inadequate consideration, not the relative merit of the sabbatical proposals.

The views and recommendations of the UFRB will be given serious consideration by the President and/or her or his designee.

1.3.2.5 Follow-up

When all scheduled Faculty Review Board appeals have been heard, and in cases where a specific department PAC has demonstrated a consistent pattern of inadequate consideration, the Faculty Review Board may request a consultation with the department involved. Subsequent to these meetings, the Faculty Review Board may request a consultation with the President or her or his designee for the purpose of examination of the pattern of inadequate consideration.

Whenever all other considerations are judged to be equal, a pattern of inadequate consideration may be taken into account by the Faculty Review Board in reaching final recommendations and by the President in making final decisions.

In instances where an apparent pattern of inadequate consideration exists, the chairperson of the Review Board, the administrative and Union observers and the corresponding College/School representative will meet with involved department PAC members in order to discuss means of improved future application of contractual procedures. The chairperson of the Review Board will inform all involved parties of the meeting(s) as scheduled and may request the participation of the department chairperson/dean.

1.3.3 UNIVERSITY PROFESSIONAL STAFF REVIEW BOARD (UPSRB)

1.3.3.1 Composition

The University Professional Staff Review Board will consist of four elected Professional Staff members with at least three (3) years of service and in the negotiating unit. They will be elected by unit Professional Staff members as indicated below:

One (1) by Professional Staff in the Division of Academic Affairs

One (1) by Professional Staff in the Division of Institutional Advancement

One (1) by Professional Staff in the Division of Student Development and Campus Life

One (1) by Professional Staff in the Division of Budget, Planning and Information Technology

The Union and the administration will each appoint an ex officio member without vote to serve as observers for their constituents and as resource persons for the UPSRB.

Both the administration and the Union will make every effort to maintain the same observer for the entire term of the UPSRB.

No member of the administration, unit director or individual applying for reclassification, promotion, personal development leave, or for multi-year reappointment may serve. Exceptions to this composition must be submitted to the Overview Committee for acceptance.

1.3.3.2 Term

The members of the University Professional Staff Review Board will be elected for a term of one year commencing July 1. The UPSRB will elect its own chairperson, who will serve an additional term as an ex officio member without vote to provide continuity for the UPSRB.

1.3.3.3 Function

The function of the UPSRB will be to hear appeals concerning annual reappointments, reclassifications, multi-year appointments and reappointments, promotions, and personal development leaves. The UPSRB will consider only cases in which the Professional Staff member alleges that the personnel action taken was based upon inadequate or inappropriate consideration.

Before the UPSRB hears an appeal, evidence must be presented by the appellant that an effort has been made to resolve the issue at the supervisory level immediately above the level where the inadequate or inappropriate consideration allegedly occurred. The UPSRB will not hear cases that are in the realm of the grievance procedure as described in Article VII, Section B, of the *State Contract*.

The candidate may file an appeal on the grounds of inadequate consideration when that individual has reason to believe that a prima facie case can be established to the effect that a full and fair consideration was denied the appellant either through acts of omission (e.g., failure to evaluate entire vita) or commission (e.g., undue emphasis given to certain aspects of the position).

1.3.3.4 Procedure

The appellant must file a formal appeal form stating in detail the basis of the complaint and listing the pertinent individuals involved.

The University Professional Staff Review Board must inform all parties to a complaint that a hearing is being scheduled. Both the appellant and the person(s) against whom the complaint is brought must be given the opportunity to be present during the entire presentation of materials to the Board. An appropriate representative of the bargaining agent may be present if requested by either party.

The University Professional Staff Review Board has the responsibility to provide an opportunity for a hearing of the views of the individuals against whom the appellant has brought a complaint.

By majority vote, the University Professional Staff Review Board must, after hearing all the evidence:

(1) rule that the Professional Staff member has not presented a prima facie case that inadequate consideration has been given and rule against further hearings;

or:

(2) determine that the Professional Staff member has presented a prima facie case that there has been inadequate consideration.

Following the decisions, the University Professional Staff Review Board must submit its written recommendation and rationale to the President's designee for personnel actions. The Professional Staff member must be informed of the UPSRB's report as to whether or not a prima facie case has been established.

The decisions and recommendations of the University Professional Staff Review Board will be given serious consideration by the President's designee for personnel actions.

In the event that the University Professional Staff Review Board affirms an allegation of inadequate or inappropriate consideration, which is rejected by the President's designee, the UPSRB must forward a written report to the President.

1.3.3.5 Elections

The members of the UPSRB will be elected at the division level in an election conducted by the Association/Union division representative and the division head involved. The elections shall be held annually, no later than February 15.

The Association/Union division representative will forward the election results to the VPAA and the chairperson of the Association/Union Elections committee.

It will be the responsibility of the Association/Union and the University administration to convene the first meeting of the Board.

1.3.4 ALLOCATIONS COMMITTEE

1.3.4.1 Composition

The Allocations Committee will be composed of the President of the local Union, or a designee, the Chief Union negotiator and two administrators at least one of whom has participated in the negotiation of the Selected Procedures Agreement.

1.3.4.2 Function

The Allocations Committee will determine the number of promotions to be allocated to each College/School and to the University Promotions Committee and these allocations are not grievable, unless the procedures set down in the section on promotions are violated.

1.3.4.3 Procedure

See section 4.2.6 Allocation of Promotion Slots

1.3.5 UNIVERSITY PROMOTIONS COMMITTEE (UPC)

1.3.5.1 Composition

The University Promotions Committee will consist of one elected tenured faculty member from each College/School at the rank of assistant professor or above. The Union and the administration will each appoint a member without vote to serve as observer and as resource person.

Members of the administration, department chairpersons, department or College/School PAC members, or individuals applying for promotion are not allowed to serve. Individuals may not serve at more than one level of review and recommendation.

Exceptions to this composition require approval in writing by the Overview Committee.

1.3.5.2 Term

The members of the University Promotions Committee will serve for two years. Elections will be scheduled as follows in order to create a staggered membership on the committee (Spring term used to determine year for election purposes):

Even Numbered Years:

School of Business
College of Education and Human Services

Odd Numbered Years:

School of the Arts
College of Humanities and Social Sciences
College of Science and Mathematics

The Committee will elect its own chairperson and will have its organizational meeting before October 1 of each academic year.

1.3.5.3 Function

The UPC will evaluate and make recommendations to the administration on applications for promotion routed to it.

1.3.5.4 Procedure

See section on Promotions.

1.3.6 SABBATICAL REVIEW COMMITTEE

1.3.6.1 Composition

The Sabbatical Review Committee will consist of one elected tenured faculty member from each College/School and one elected tenured representative from the library, and the Association/Union designee, who will serve ex officio without vote. No applicant for a sabbatical is eligible to serve on the Committee that year.

1.3.6.2 Term

The Sabbatical Review Committee will serve for one year. No member of the Committee may serve more than three (3) consecutive terms.

1.3.6.3 Function

The Sabbatical Review Committee must consider all applications and recommendations submitted and must develop a list of recommendations. The Committee will rank order those individuals recommended for sabbatical leave.

1.3.7 OVERVIEW COMMITTEE

1.3.7.1 Composition

The Committee will consist of two representatives from the Association/Union and two from the University administration.

1.3.7.2 Function

The Overview Committee will serve three functions:

(1) Review and approve policies and procedures or exceptions thereto to the extent that such review or approval is stipulated or implied by this Selected Procedures Agreement.

(2) Act as a resource body for interpretation of this Selected Procedures Agreement.

(3) Disseminate information to department PACs, chairpersons, College/School PACs, deans, the general faculty and Professional Staff members in case of change(s) in policies or procedures.

1.3.8 CAREER DEVELOPMENT COMMITTEE

(See Section 9 on Career Development Program)

1.3.9 PROFESSIONAL STAFF PROFESSIONAL DEVELOPMENT PEER REVIEW COMMITTEE

1.3.9.1 Composition

See Section 8.3 on the Professional Development Peer Review Committee

1.3.9.2 Term

The Professional Development Peer Review Committee will serve for a one (1) year term. No member of the Committee may serve for more than three (3) consecutive years. The Committee will annually elect its own chairperson who will serve an additional term on the Committee to provide continuity for the Committee.

1.3.9.3 Function

The Professional Development Peer Review Committee will serve three functions:

(1) Personal Development Leave

The Committee will review and make recommendations on applications for Personal Development Leaves. The President will announce the availability of Personal Development Leaves and make available instructions on how to apply.

(2) Professional Staff Leadership Development Program

The President will annually announce the availability of the opportunity to work on assignment for one of the Division Heads and provide instructions on how to apply.

The Professional Development Peer Review Committee will develop procedures to be submitted to the Overview Committee for approval.

(3) Staff Training for Professional Development

The President will announce the availability of resources for staff training for professional development of Professional Staff members and Librarians and make available instructions on how to apply.

The Professional Development Peer Review Committee will develop procedures to be submitted to the Overview Committee for approval.

1.3.10 MEET AND CONFER COMMITTEE

The Union and Administration agree to establish a Meet and Confer Committee. This Committee, composed of three representatives each from the Union and Administration, will meet monthly to discuss issues of mutual concern. These meetings are not intended to bypass the grievance procedure or to be considered contract negotiations or consultations but are intended as a means of fostering good Union-Administration relations. The presentation or discussion of an item by the Meet and Confer Committee does not give the item standing in any other forum or procedure, nor does it convey implications for the scope or the content of statewide or local negotiations, nor does it give either party the right to go to PERC to replace negotiating items by those discussed at this Committee.

1.3.11 UNIVERSITY DISTINGUISHED SCHOLAR COMMITTEE

The purpose of the University Distinguished Scholar Program is to recognize those members of the faculty who have distinguished records of scholarly or creative achievement. An individual identified as a University Distinguished Scholar will receive a grant of twelve (12) hours of on-load time, to be used in a single semester, to pursue scholarly or creative activities of a significant nature.

The University Distinguished Scholar Committee will be composed of the Chair, or his or her designee, of each of the five College/School Research Committees. The Committee will elect a chair from among its members. Terms of office on the Committee will be concurrent with the terms of each member on his or her College/School Research Committee. The Union and Administration will each appoint a member without vote to serve as an observer.

1.3.11.1 Procedure

Faculty members may either apply or be nominated for consideration in the University Distinguished Scholar Program. In either case, candidates must provide evidence of a substantial record of outstanding scholarly or creative work and present a proposal for the use of the on-load time which shows promise of resulting in a significant contribution to the selected field. The Committee will consider both past performance and the proposed work in making its recommendations.

Each College/School Research Committee will annually evaluate materials submitted by faculty members from the College/School. Up to three or a maximum of 25% of the proposals submitted may be forwarded, without ranking, from each College/School to the University Distinguished Scholar Committee.

The University Distinguished Scholar Committee will review the materials forwarded from the Colleges/Schools and will recommend to the President the names of the two candidates deemed most worthy of designation as University Distinguished Scholars. The initial University Distinguished Scholar Committee shall develop and disseminate a clear statement of the form in which supporting materials are to be submitted, the procedure for evaluation and the manner in which the University Distinguished Scholars are to report the results of their work to the Committee. When changes in the procedures are deemed necessary, they will be the responsibility of the outgoing Committee. The guidelines developed by the Committee must be submitted to the Overview Committee for acceptance.

1.3.12 UNIVERSITY RESEARCH COMMITTEE

1.3.12.1 Composition

The chairpersons of the College/School Research Committees, or their designees, will constitute the University Research Committee.

1.3.12.2 Function

The University Research Committee will annually evaluate the Separately Budgeted Research applications of faculty members in accordance with the recommendations of the College/School Research Committees and the Deans.

The University Research Committee will annually review the statement of procedures used to evaluate proposals. All procedures not previously submitted for consideration by the Overview Committee will be forwarded for Overview Committee approval.

1.3.13 UNIVERSITY DISTINGUISHED TEACHER PROGRAM

The University Distinguished Teacher Program recognizes faculty members who are distinguished teachers. A faculty member identified as a University Distinguished Teacher will receive an honorarium and will prepare a course in an area of special interest and expertise. Where possible, the course should be of wide interest, at the 100 or 200 level and meet a general education requirement. The course will be widely advertised by the Administration and taught during the academic year following receipt of the award. During the year in which the course is offered, the Distinguished Teacher will have available to him or her a budget to be used for enrichment in the area of the course at his or her discretion for travel to meetings, for a student assistant, for scholarly materials, for supplies, or for other relevant purposes.

1.3.13.1 Procedure

Tenured faculty members who have a long and distinguished record of teaching at Montclair State University may be nominated by another member of the university community holding faculty rank for consideration in the University Distinguished Teacher Program. Candidates must provide evidence of a consistent record of outstanding teaching in the form of student evaluations, peer evaluations, syllabi of courses taught (i.e., undergraduate and graduate, upper and lower level), letters from alumni, innovative curriculum initiatives, and any other supporting documents and materials.

1.3.14 UNIVERSITY DISTINGUISHED TEACHER COMMITTEE

1.3.14.1 Composition

The University Distinguished Teacher Committee will consist of one (1) elected tenured faculty member from each College/School holding the rank of associate professor or above. The Union and the administration will each appoint a member without vote to serve as observers and as resource persons. The Committee will elect its own chairperson from among the voting members.

1.3.14.2 Term

The members of the University Distinguished Teacher Committee will serve for one (1) year. No voting member of the Committee may serve more than three (3) consecutive years.

1.3.14.3 Function

The University Distinguished Teacher Committee shall review the materials forwarded from the College/School Distinguished Teacher Committees and will recommend no more than two (2) candidates deemed most worthy of the designation of University Distinguished Teacher to the President.

The initial University Distinguished Teacher Committee shall develop and disseminate a clear statement of the form in which supporting materials are to be submitted and the procedures for evaluation of candidates, including procedures to be used at the college/school level. All procedures developed by the Committee must be submitted to the Overview Committee for approval.

The Committee will specify the manner by which Distinguished Teachers will report on the results of their course development activities.

Changes in the procedures may be proposed by the outgoing Committee.

1.3.15 COLLEGE/SCHOOL DISTINGUISHED TEACHER COMMITTEE

1.3.15.1 Composition

Each College/School Distinguished Teacher Committee will consist of five (5) elected tenured faculty members holding the rank of associate professor or above. A maximum of two (2) faculty members can be elected from any one department. No one may simultaneously serve on a College/School and University Distinguished Teacher Committee. The Committee will elect its own chairperson.

1.3.15.2 Term

The College/School Distinguished Teacher Committee will serve for one (1) year. No member of the Committee may serve more than three (3) consecutive years. No person may serve on two levels of review in the same academic year.

1.3.15.3 Function

Each College/School Distinguished Teacher Committee will annually evaluate materials submitted by nominated faculty members from the College/School. Up to 25% or a maximum of three of the nominated candidates considered may be forwarded, without ranking, from each College/School to the University Distinguished Teacher Committee. The College/School Distinguished Teacher Committees must follow the procedures established by the University Distinguished Teacher Committee, and will prepare and forward a short statement in support of each recommended candidate. A copy of the statement must be provided to the candidate and accompany the College/School's material going forward to the University Distinguished Teacher Committee.

1.3.16 DEAN'S ROLE

The Dean will, independently of the College/School Distinguished Teacher Committee, annually evaluate materials submitted by faculty members from the College/School. Up to 25% or a maximum of three (3) of the nominated candidates considered may be forwarded, without ranking, from each College/School to the University Distinguished Teacher Committee by the Dean. The Dean will prepare and forward a short statement in support of each candidate recommended by the Dean. A copy of the statement must be provided to the candidate and accompany the College/School's material going forward to the University Distinguished Teacher Committee.

1.3.17 LIST(S) OF RECOMMENDED CANDIDATES

The College/School Distinguished Teacher Committee and the Dean shall consult and endeavor to present a single list of candidates to the University Distinguished Teacher Committee. If agreement does not occur, two lists will be submitted. The list(s) of candidates shall not be ranked.

1.4 FACULTY SCHOLARSHIP INCENTIVE PROGRAM (FSIP)

The procedures detailed below are to be used to implement the Faculty Scholarship Incentive Program as described in the Provost's document, entitled "*Faculty Scholarship Incentive Program: Policy and Procedures*," dated 19 January 1997.

1.4.1 FSIP PROPOSAL: PEER AND DEPARTMENT REVIEW

1.4.1.1 Faculty Reader(s)

Each applicant will identify one or two colleagues whose expertise is related to the area of scholarship to be proposed. The colleague(s), who may be in the same department as the applicant or in a different department, will serve as faculty reader(s) and advisor(s) to the applicant. Within five (5) working days of receipt of the applicant's proposal, the faculty reader(s) will write a review of the proposal and forward it to the applicant.

1.4.1.2 Department Chairperson Recommendation

The applicant must submit a proposal and the review by the faculty reader(s) to the Department Chairperson or Deputy Chairperson no later than the date stipulated in the administrative calendar. Within five (5) working days, the Department Chairperson or Deputy Chairperson will read the proposal and inform the applicant in writing of the recommendation. The Department Chairperson or Deputy Chairperson may approve, disapprove or request modifications.

1.4.1.3 Applicant's Response to Requested Modifications

The applicant may respond to requested modifications within five (5) working days.

1.4.1.4 Department Chairperson's Response to the Applicant

The Department Chairperson or Deputy Chairperson will respond to the applicant's modifications within five (5) working days.

1.4.1.5 Appeal of Negative Recommendation

In the case of a negative recommendation, the applicant may appeal in writing to the Department Chairperson or Deputy Chairperson within five (5) working days.

1.4.1.6 Response by Department Chairperson

The Department Chairperson or Deputy Chairperson will respond in writing to the applicant within five (5) working days.

1.4.1.7 Recommendation Forwarded to the Dean

The applicant's proposal, the review by the faculty reader(s), the Department Chairperson or Deputy Chairperson's recommendation, any appeal by the applicant and response by the Department Chairperson or Deputy Chairperson must be forwarded to the Dean by the date designated in the administrative calendar.

1.4.2 FSIP PROPOSAL: DEAN'S REVIEW

1.4.2.1 Dean's Recommendation

Within ten (10) working days of receiving and reading the applicant's packet, the Dean will inform the applicant of the decision. The Dean may approve, disapprove, or request modifications.

1.4.2.2 Reversal of Department Recommendation

Prior to reversal by the Dean or the Department Chairperson or Deputy Chairperson's recommendation, the Dean will inform and invite discussion with the Department Chairperson or Deputy Chairperson to attempt to resolve their differences. Upon request by either party a meeting will take place to attempt such resolution.

1.4.2.3 Request for Modifications

Within five (5) working days, the applicant may respond to requested modifications.

1.4.2.4 Dean's Response to Modifications

The Dean will respond to the applicant within ten (10) working days.

1.4.2.5 Appeal of Negative Recommendation

In the case of a negative decision, the applicant may appeal in writing to the Dean within five (5) working days.

1.4.2.6 Dean's Response

The Dean will respond to the applicant within five (5) working days.

1.4.3 FSIP PROPOSAL: APPEAL TO PRESIDENT

The applicant may appeal a negative recommendation to the President or his/her designee.

1.4.4 INTERIM REPORT

Each FSIP participant will file an interim report with the faculty reader(s), Department Chairperson or Deputy Chairperson and the Dean on the date specified in the administrative calendar. The interim report may include changes in the project and explanation of the basis for changes.

1.4.5 PEER AND DEPARTMENT REVIEW

1.4.5.1 Faculty Reader(s)

Within five (5) working days of receipt of the interim report, the faculty reader(s) shall comment on the report in writing and forward their comments to the participant and the Department Chairperson or Deputy Chairperson.

1.4.5.2 Department Chairperson Comment

Within five (5) working days of receipt of the applicant's report and the review by faculty reader(s), the Department Chairperson or Deputy Chairperson must comment on the report in writing and forward such comments to the applicant.

1.4.5.3 Applicant's Response to Department Chairperson

The applicant may respond in writing to the Department Chairperson or Deputy Chairperson's comments within five (5) working days.

1.4.5.4 Department Chairperson's Response to Applicant

The Department Chairperson or Deputy Chairperson must respond in writing to the participant's comments within five (5) working days.

1.4.5.5 Comments Forwarded to the Dean

The interim report, the review by the faculty readers, Department Chairperson or Deputy Chairperson's comments and any responses by the participant and response from the Department Chairperson or Deputy Chairperson must be forwarded to the Dean by the date stipulated in the administrative calendar.

1.4.6 DEAN'S REVIEW

Within ten (10) working days of receipt of the participant's packet, the Dean shall must indicate in writing to the participant acceptance of the report or suggestions for alteration of the project, or intent to cancel the project. If the Dean opts for the second or third choices, the Dean will provide a written explanation of the reasons for the action.

1.4.6.1 Participant's Response to Dean

The participant may respond in writing within five (5) working days of receipt of the Dean's proposed decision.

1.4.6.2 Dean's Response to Participant

The Dean must respond to the appeal within ten (10) working days.

1.4.6.3 Reversal of Department Recommendation

If the Dean intends to reverse a positive report from the Department Chairperson or Deputy Chairperson, the Dean must, prior to notifying the participant, inform and invite discussion with the Department Chairperson or Deputy Chairperson to attempt to resolve their differences. Upon request by either party, a meeting must take place to attempt such resolution.

1.4.7 APPEAL TO PRESIDENT

The applicant may appeal a negative recommendation to the President or a designee.

1.4.8 FINAL REPORT

Each FSIP participant will file a final report with the faculty reader(s), Department Chairperson or Deputy Chairperson and the Dean on the dates specified in the administrative calendar.

1.4.9 PEER AND DEPARTMENT REVIEW

1.4.9.1 Faculty Reader(s)

Within five (5) working days of receipt of the final report, the faculty reader(s) must comment on the report in writing and forward their comments to the participant and the Department Chairperson or Deputy Chairperson.

1.4.9.2 Department Chairperson Comment

Within five (5) working days of receipt of the applicant's report and the review by faculty reader(s), the Department Chairperson or Deputy Chairperson must comment on the report in writing and forward such comments to the applicant.

1.4.9.3 Applicant's Response to Department Chairperson

The applicant may respond in writing to the Department Chairperson's or Deputy Chairperson's comments within five (5) working days.

1.4.9.4 Department Chairperson's Response to Applicant

The Department Chairperson or Deputy Chairperson must respond in writing to the participant's comments within five (5) working days.

1.4.9.5 Comments Forwarded to the Dean

The final report, the review by the faculty reader(s), Department Chairperson's or Deputy Chairperson's comments and any appeal by the participant and response from the Department Chairperson or Deputy Chairperson must be forwarded to the Dean by the date stipulated in the administrative calendar.

1.4.10 DEAN'S REVIEW

Within ten (10) working days of receipt of the participant's packet, the Dean must provide the participant with a written evaluation of the participant's work as reported.

1.4.10.1 Participant's Response to Dean

The participant may respond in writing within five (5) working days of receipt of the Dean's written evaluation.

1.4.11 APPEAL TO PRESIDENT

The applicant may appeal a negative recommendation to the President or a designee.

1.4.12 INTEGRITY OF DOCUMENTATION

In the event any evaluation of a faculty member's work as described above is transmitted or used in any fashion, all written responses by the faculty member must be attached.

1.4.13 PERMISSIBLE FRACTIONAL OVERLOAD

Faculty selecting scholarship projects are ineligible for overload, except for fractional overload of less than 3 credits per semester required to balance schedules as approved by the Dean.

1.4.14 PERMISSIBLE COMPENSATION FOR FSIP PARTICIPANTS

Faculty cannot be compensated from other sources for the time during which they are engaged in the FSIP project. Advances for the preparation of a manuscript will be viewed not as direct payment for preparing the manuscript but as an advance on royalties. Specific contracts and grants will be interpreted in this way wherever leeway is present. Aesthetic/fine arts/music/scientific/research products may also yield royalties or other financial benefit. Compensation for the production of such products will be considered payment for the products rather than for the time spent producing them if FSIP time is used.

1.4.15 ON-LOAD HOUR EQUIVALENCE

A non-negotiable administrative provision of FSIP states: "It is expected that for three credits of load time at least 7 and 1/2 hours per week will be devoted to the project."

The aforementioned formulation is intended to provide general guidance for the purposes of FSIP and does not establish any new standard applicable to other faculty activities.

1.4.16 DOCUMENTATION OF TIME EXPENDED

Participants are not required to keep or to submit documentation on time expended on their projects.

1.4.17 DISTRIBUTION OF FSIP HOURS ACROSS SEMESTERS

FSIP credit will be distributed between the Fall and Spring semesters. Faculty may as part of the application propose an alternative distribution along with the rationale for that alternative. This will be granted except where such an allocation would create otherwise insoluble problems for the delivery of education services by the Department.

1.4.18 DISTRIBUTION OF UNIVERSITY, COLLEGE/SCHOOL, AND DEPARTMENT MISSION STATEMENTS

The Provost's description of the FSIP specifies that proposals will be evaluated using, among other criteria, the consistency of the project with the mission of the University, and the goals of the College/School and Department of the applicant. The Administration will arrange for the distribution to faculty of the Mission Statement of the University, and the goals of the College/School of the applicant.

1.4.19 RIGHT OF NON-PARTICIPATING GRANT RECIPIENTS TO CHOOSE PERSONNEL EVALUATION CATEGORY

Faculty ineligible for FSIP as a result of receiving on-load time through a grant may select as the basis for personnel evaluation a category of Scholarship consistent with the nature of the grant activity.

1.4.20 ELIGIBILITY OF EXTERNALLY FUNDED GRANT RECIPIENTS FOR PARTICIPATION IN FSIP

Faculty following University procedures when applying for externally peer-reviewed grants are eligible for FSIP participation in a Scholarship area consistent with the grant-funded activity. Grant recipients may apply for up to six TCH for such projects, with application made to the Department Chairperson and to the Dean at the time of the grant application. FSIP participation will coincide with the semester during which the funded project begins. For FSIP projects associated with externally funded grants the external peer review will replace the internal application process. For grants longer than one academic year in duration, an Interim Report will not be required by the University. The Final Report will be submitted to the Department Chairperson and to the Dean for their evaluations.

Where the granting agency requires deviation from the normal timing for filing of reports, such changes should be anticipated and allowed for by the Dean and faculty member at the time of the award. Because many granting agencies recommend or require an institutional commitment to scholarship projects, the grant application may show the value of the faculty member's time corresponding to the grant-related FSIP project as an institutional match.

1.4.21 REQUIREMENT OF INCORPORATING NEW PERSONNEL EVALUATION CRITERIA INTO DEPARTMENTAL PERSONNEL EVALUATION PROCEDURES

The Administration will notify all Department Chairpersons of the introduction of new criteria for reappointment, tenure and promotion, and of the requirement of informing members of the Department and of incorporating these criteria into Departmental Personnel Evaluation Procedures. All changes in procedure must be submitted to the Overview Committee for approval.

1.4.22 PROVISION OF DATA TO LOCAL

The Administration will provide statistical data describing, by College/School, the number of FSIP applicants, the number of approved and rejected proposals, and, in the event of rejection, a summary of the reasons.

1.5 NEW FACULTY MENTOR PROGRAM

1.5.1 FACULTY MENTORS: WORKLOAD

Each mentor will attend an orientation for new faculty and will attend seminars with new faculty on dates announced to the chairs the preceding semester. In addition, they will each meet with a small group of new faculty from Colleges/ Schools other than their own to discuss teaching, scholarship, service and other issues. It is expected that seminars will meet for two hours every other week, and that meetings between mentors and new faculty will be arranged at the convenience of those groups. Mentors and new faculty may mutually agree to visit one another's classes on an informal basis; such visits will not become part of the process of any personnel action.

1.5.2 COMPENSATION

Mentors will receive the equivalent of three credits overload pay for the year. The time expected of mentors is equivalent to what would be expected for three credits of on-load time for the year.

1.5.3 SELECTION

The Provost will inform faculty of the opportunity to apply for service as a mentor. Interested faculty will apply directly to their Dean and include a statement indicating why they are interested, what strengths they bring to the program, and what they expect to get from the program.

1.5.4 ELIGIBILITY

Faculty mentors will not receive on-load time, so participation does not compromise eligibility for FSIP or reduce teaching responsibilities.

1.5.5 NUMBER

For each academic year, there will be five mentors, one from each College/School in the University.

1.5.6 PARTICIPATING NEW FACULTY: ACCOUNTABILITY

The program is entirely separate from any personnel action, including reappointment and tenure processes, and so no information regarding performance in this program can or will be used in those processes.

1.5.7 ADJUSTMENT FOR EXPERIENCE

The focus on teaching and an introduction to the University culture will be of value for all new faculty. The portion of the program that focuses on scholarship may well be adjusted depending on experience. Some faculty will focus on developing their scholarly agendas, while others may work on already established scholarly projects.

2. GENERAL GUIDELINES FOR PERSONNEL ACTIONS

2.1 FULFILLMENT OF OBJECTIVES

2.1.1 The excellence of the University is the primary objective of all personnel decisions. Departmental PACs should commit themselves to fulfilling this goal.

2.1.2 In keeping with the objective of excellence, the departmental PAC should make every effort to develop evaluations of colleagues into constructive programs to improve faculty performance. Departmental PACs should also contribute to the excellence of the University by making wise, if difficult, judgments affecting appointment, retention, tenure and promotion of colleagues.

2.1.3 The following statement on tenure, adopted as MSU Board of Trustees Resolution Number 2099, of June 7, 1995, *Feasible Transfer of Responsibilities Under NJAC9:6 and 6A*, must be followed in making personnel decisions:

"A reappointment conferring tenure may be offered only to faculty members who possess an appropriate terminal degree or its equivalent, except under unusual circumstances when the granting of tenure to an individual not having these qualifications is judged by a College Board of Trustees as being in the best interests of the institution."

(See Appendix II, Section 15 for Criteria)

2.2 DEVELOPING DEPARTMENTAL PROCEDURES

Each department must develop, and approve by departmental vote, then publish and disseminate, formal, regular and systematic procedures for personnel actions. Within the guidelines for development of student questionnaires presented in 2.5.2, a department or a College/School may develop its own student questionnaire to be used uniformly for evaluation. This form must be approved by the departmental or, in case of a College/School-wide questionnaire, by the College/School faculty. Procedures and questionnaires must be submitted to the Overview Committee for acceptance. The content of the procedures is not subject to appeal or grievance.

2.3 PROTECTION CLAUSE

A faculty member must be notified by the departmental chairperson or elected designee, PAC chairperson or designee, at least one week prior to the observation, of the name of the individual who will observe the candidate. The faculty member, for valid and relevant reasons, may request that there be a different observer.

2.4 RECOMMENDATION FORMS

Recommendation forms will be completed by relating the evaluations to specifics and not to vague generalities. Teaching effectiveness sections should detail specific strengths and weaknesses.

The candidate must receive copies of all the completed personnel action forms. These must contain the evaluations and recommendations at all levels. The candidate may append comments to the document, if pertinent.

2.5 PROVISIONS FOR STUDENT INPUT INTO FACULTY PERSONNEL DECISIONS

2.5.1 TYPE OF PROCESS

Student input into faculty personnel decisions will be limited to information concerning teaching effectiveness which will be obtained by questionnaire surveys of the individual's classes. The procedures outlined below apply to student input for reappointment, tenure, and promotion recommendations and for self-assessment under the Career Development Program.

For the reappointment, tenure and promotion processes, summaries of student questionnaires administered within the last 12 months are required, but the evaluations are not limited to the last year. For self-assessment under the Career Development Program, questionnaires administered during the previous three (3) academic years are acceptable.

2.5.2 DESIGN AND APPROVAL OF STUDENT QUESTIONNAIRES

A joint Union-Administration Committee on Student Questionnaires will be established to guide the development of student questionnaires.

2.5.2.1 Committee Structure

The Committee will consist of three faculty members appointed by the Union and three administrators appointed by the President. To the extent possible, all members will have expertise in questionnaire design.

2.5.2.2 Committee Functions and Target Date

The Committee will:

- Determine the several areas or aspects of the teaching/learning process that must be covered in all questionnaires and inform departments or Colleges/Schools of these areas.
- Recommend questions that will cover these areas(several questions per area).
- Review departmental or College/School questionnaires to make sure that all areas are covered and that the results will be tabulated in an objective manner. When differences within the Committee or between the Committee and a department or a College/School cannot be resolved, they will be submitted to the Overview Committee.
- Make recommendations and/or suggestions in regard to additional questions a department or College/School may wish to add beyond those needed to cover the areas identified by the Committee.
- Make all possible efforts to have each questionnaire fit a system that allows for optical scanning and the creation of a computer printout.

The Committee will make all possible efforts to assure implementation of the above by May 1,1992.

2.5.3 ADMINISTRATION OF THE QUESTIONNAIRE

The department PAC will make arrangements with the student groups or with other non-faculty personnel to administer the questionnaire in the classes of the involved faculty members. The student groups used may be Student Input Committees, student subject matter organizations, or another non-faculty group developed for this purpose. Student groups may obtain faculty assistance in the tabulation process, if desired, provided the faculty member involved is not a candidate for reappointment, tenure, or promotion.

The forms should be submitted to the classes by no more than two individuals during a time period previously arranged with the instructor. The instructor may not be present when the forms are filled out.

The non-faculty group is responsible for collection and tabulation of the results of the questionnaire. The computer center may be used for such tabulations.

2.5.4 EXTENT OF EVALUATION

When the evaluations are administered, they must be given to all of the regularly scheduled classes of the individual concerned.

2.5.5 TABULATION OF THE RESULTS

The non-faculty group must provide the faculty member involved with a copy of the tabulation of the class survey at least three days before that tabulation is sent to the department PAC chairperson.

The non-faculty group must provide the department PAC chairperson with a copy of the tabulation to be attached to the file being developed for personnel action.

The faculty member shall have the right, within two (2) working days, to comment on any aspect of the administration or tabulation of the questionnaire (except the content and form of the departmentally approved questionnaire itself) in writing, and will send copies of these comments to the department chairperson and the PAC and include a copy in the personnel action file prior to final recommendation by the PAC and chairperson.

2.5.6 DISPUTED TABULATIONS

In the event questions arise about the accuracy of the statistical summary data, a committee consisting of a representative of the non-faculty group, the department PAC Chairperson, and the department chairperson will review the data and the tabulation submitted at the request of the candidate.

2.5.7 RETENTION OF FORMS

The individual student questionnaires are to be kept by the department for two years, and can be examined by the faculty member at the end of the semester after grades have been submitted.

2.6 IMPLEMENTATION DATES

2.6.1 RELATIONSHIP TO ADMINISTRATIVE CALENDAR

Each year, the dates for personnel actions are developed by the administration in consultation with the Association/Union. These dates will be published annually in the administrative calendar.

2.6.2 EXCEPTIONS

Requests for exceptions to the published dates must be submitted to the Overview Committee for its written approval.

Such requests must provide the same opportunity for review and reaction by the candidates as stated in the existing procedures.

3. APPOINTMENT AND RETENTION OF EMPLOYEES

[Articles 3.1 through 3.11 appear in the State Contract, Article XIII, pages 18-19. Article 3.2, items f, g, and h, are local MSU contract additions.]

3.1 [State Contract Article XIII.A]

Appointment and reappointments of employees shall be made by the Board of Trustees of each College upon the recommendations of the President. Appointments and reappointments of employees are subject to the availability of funds and proper recording.

3.2 [State Contract Article XIII.B.1]

When a prospective employee is offered initial appointment or reappointment, he or she shall be provided with a letter of appointment or reappointment contract. The letter of appointment or reappointment contract shall include:

- a. The name of the employing College*
- b. The dates for which the appointment or reappointment is effective*
- c. The title of the position*
- d. The salary rate*
- e. A list of the field or fields in which he or she is expected to teach or work*

f. Any special condition, such as a leave of absence appointment, which shall be specified.

g. Where the individual does not have the appropriate terminal degree, he or she must be informed of the necessity to obtain the appropriate terminal degree in his or her field in order to receive tenure.

h. Where the individual does not have the appropriate terminal degree, he or she shall be informed that promotion to Assistant Professor will be automatic following the earning of the appropriate terminal degree.

3.2.1 [State Contract Article XIII.B.2]

Prospective initial appointees and reappointees shall also be provided with a copy of this Agreement and a copy of the local employee handbook, if any. When a prospective employee accepts his or her appointment, the College shall provide the UNION with such employee's name, address, and telephone number.

3.2.2

Upon commencing employment, each new employee shall be provided with a copy of the current salary schedule.

3.3 [State Contract Article XIII.C]

Notice of reappointment or non-reappointment of full-time employees governed under the tenure provisions of N.J.S.A. 18A:60-6, et seq., shall be given in writing not later than March 1 of the first and second academic years of service and not later than December 15 of the third, fourth and fifth years of service. When a full-time faculty member is hired at mid-year, unless the individual is appointed to replace someone on leave or in a bona fide emergency, notice of reappointment or non-reappointment for the next full academic year shall be given in writing not later than April 15.

3.4 [State Contract Article XIII.D]

Full-time employees appointed to replace persons on leave or on bona fide emergencies shall be informed in their letter of appointment contracts that they will not be considered for reappointment; however, such employees shall be subject to normal evaluation procedures up to and including the first level of administrative review. Such appointments may be for one-year or half-year periods.

If an opening develops at the College for which the employee is eligible, he or she may apply, and the material developed in the aforesaid evaluation procedures will be considered along with any additional information the employee presents.

If employment extends beyond one (1) academic year, such employees will be on a normal contract and will be considered for reappointment in the normal manner unless reappointed to replace an employee on leave or to fill a position where there was no bona fide affirmative action search or to fill a grant-funded position.

3.5 [State Contract Article XIII.E]

Full-time employees other than those governed by paragraphs 3.3 and 3.4 above shall receive a minimum of one hundred and twenty (120) days written notice of non-reappointment if employed for less than two (2) full years at the time of giving of the notice and one hundred and ninety-five (195) days written notice of non-reappointment if employed for more than two (2) full years at the time of the giving of the notice.

3.6 [State Contract Article XIII.F]

A full-time faculty member assigned full-time responsibility for one-half (1/2) of an academic year shall be paid one-half (1/2) of the academic year salary of the rank and step at which he or she has been hired and shall be accorded the privilege of faculty status.

3.7 [State Contract Article XIII.G]

Individual letter of appointment and reappointment contracts for full-time employees shall be for a period of one (1) year except for a) normal one-semester appointments made at mid-year, b) one-semester appointments made pursuant to Section 3.4 above, c) "multi-year contracts" as provided in N.J.S.A. 18A:60-6, et seq., as applied to professional staff, and d) initial appointments for a period of two or three years. Election of non-tenured department chairpersons shall not convey employment beyond the letter of appointment or reappointment contract in effect.

3.8 [State Contract Article XIII.H]

In the event a full-time employee serving under a "multi-year contract" is given notice of non-renewal under the terms of N.J.S.A. 18A:60-6, et seq., at the request of the employee, the College giving such notice shall provide written reasons for its decision.

3.9 [State Contract Article XIII.J]

Ful- time employees serving under one (1) year appointments or reappointments who are notified of non-reappointment shall, at the written request of the employee, be provided with written reasons for such decision by the College.

3.10 [State Contract Article XIII.J]

The procedures for appointment and reappointment of employees utilized in the College, if universally applicable, or in the division, department or similar unit in which the employee is employed, shall be fairly and equitably applied to all candidates. The procedures shall provide for consideration based on criteria established by the College, appropriate to the College and the work unit. The current and applicable procedures including a statement of such criteria shall be provided in written form for the understanding of all affected employees. Reappointment procedures and notice requirements for full-time employees with less than three years service shall apply to part-time employees with more than two years service. For part-time employees with two years service or less, the procedures in effect at the time of the execution of this agreement will apply. However, reappointment procedures and notice requirements applicable to part-time employees may be modified by agreement between the Local Union and the College. If these procedures are not in written form, they will be reduced to writing and a copy will be provided to each affected employee.

This provision shall not be construed as a waiver of the Colleges' right to appoint and reappoint, under procedures set by the Colleges, employees not included in the negotiating unit. The Colleges, however, recognize the value of peer consultation and except in unusual circumstances will consult with the involved department concerning the procedures to be used in any particular case.

A full-time faculty member who is appointed at the College for two or three years upon initial hire will be subject to a performance review on an annual basis pursuant to normal reappointment review procedures in the normal evaluation cycle. Recommendations for reappointment will only be made during the third-year evaluation process.

3.11 [State Contract Article XIII.K]

Final recommendations for appointment of full-time employees governed under the tenure provisions of N.J.S.A. 18A:60-6, et seq., shall be made to the President no later than February 15 of the first and second academic years of service, and not later than December 1 of the third, fourth and fifth academic years of service. Where practicable final recommendations shall be made for other full-time employees on a similar timetable.

3.12 INDIVIDUAL LETTER OF APPOINTMENT OR REAPPOINTMENT CONTRACTS

[State Contract Article XIII.L]

Any individual letter of appointment or reappointment contract between a College Board of Trustees and an individual employee shall be subject to and consistent with the terms and conditions of this Agreement. Where such contract is inconsistent with this Agreement, this Agreement, during its duration, shall be controlling.

3.13 [State Contract Article XIII.M]

Full-time employees who are employed under a grant may be terminated during the term of their contracts if the grant money runs out by giving them sixty (60) days notice. This termination is not a retrenchment within the meaning of the Agreement, the Administrative Code, or Statutes, nor is it subject to such provisions. Such employees will be notified in their letter of appointment and reappointment contracts that their employment is contingent on continuation of grant funding. Part-time employees on grants are not included in the unit.

3.14 LOCAL GUIDELINES FOR APPOINTMENT, RETENTION AND TENURE OF TEACHING FACULTY

3.14.1 PROCEDURES AND RECOMMENDATION - DEPARTMENT LEVEL

3.14.1.1 Who is Processed?

All faculty members occupying a regular line or portion thereof, including those with term appointments, must be evaluated under this procedure. Adjunct faculty are not to be included in this process.

3.14.1.2 PAC Recommendation

The initial recommendation for appointment and retention must be made by the PAC no later than the date established in the administrative calendar. Each recommendation will be submitted to the department chairperson with a copy to the dean of the College/School. All recommendations at each and every level must be forwarded to the VPAA for his or her action.

3.14.1.3 Vacation Coverage

The department PAC and the department chairperson are authorized to make arrangements for implementing the hiring procedure when classes are not in regular session.

3.14.1.4 Promotability

In keeping with the objectives of excellence, the faculty should recommend for retention only those candidates who are proceeding professionally toward eligibility for promotion to higher rank.

3.14.1.5 Observations of Professional Performance

Observation must include, but is not limited to, observations of faculty members by their professional peers at least twice during each academic year. One observation, at least, must be by a peer other than the department chairperson. One observation must be by the chairperson or his or her designee.

The candidate must be observed and evaluated according to the criteria developed by the administration in consultation with the faculty.

3.14.1.6 Reports of Observations

This procedure must be followed by conferences between the non-tenured faculty member and the faculty evaluator(s) for the purpose of identifying strengths, deficiencies, extending assistance for their corrections, and improving instruction. Evaluations must then be made in writing and must be entered into the personnel file after being signed by the evaluator(s) and the evaluated faculty member indicating that the evaluation has been seen and discussed.

The faculty member has the right, within two (2) working days, to comment on any evaluation in writing and should send copies of these comments to the department chairperson and PAC and include a copy in the official personnel file prior to final recommendations by PAC and chairpersons.

3.14.1.7 Department's Recommendations

Each candidate will be evaluated by the department PAC and by the department chairperson, according to the criteria developed in the joint Union/administration discussions. Student input must be utilized in the evaluation process according to the procedures developed for obtaining student input. (See Section GENERAL GUIDELINES, Section 2.5.) These evaluations and recommendations will be done on the reappointment forms provided by the University. The candidate must receive copies of the completed reappointment forms within three (3) working days.

3.14.1.8 Conference Request

The candidate shall have the right to request a conference with the PAC and/or chairperson, after receipt of any recommendation and at least two (2) days prior to the final recommendation being forwarded to the dean.

3.14.1.9 Department Chairperson-Conflict of Interest

In the event the department chairperson is a candidate for reappointment or tenure, or is unable to serve, an elected designee must assume the chairperson's role in the reappointment process.

3.14.2 PROCEDURES AND RECOMMENDATION—DEAN'S LEVEL

The dean will consider the recommendations of the department PAC, chairperson, and the student summaries. The dean will make a recommendation on the form provided and will forward all recommendations to the VPAA for his or her action. The dean's recommendation will include evaluative statements on each of the major criteria for reappointment. A statement of concurrence with the PAC, the chair, or both on each of the major criteria will satisfy this requirement. The dean will provide an evaluative statement on each of the major criteria with which he or she does not concur. The candidate must receive a copy of the dean's completed reappointment form within one week.

The candidate is entitled to an informal discussion with the dean concerning the dean's recommendation. The request for a discussion must come within three (3) working days of receipt of the recommendation. The meeting must be held within three (3) working days of the request. The dean must notify the candidate in writing of the final recommendation within three (3) working days of the meeting.

3.14.3 RECOMMENDATIONS—VPAA

The VPAA will consider the recommendations of the department PAC, chairperson, the student summaries and the recommendation of the dean. The VPAA will make a recommendation to the President and will forward a copy to the candidate.

The recommendation by the VPAA will include evaluative statements on each of the major criteria for reappointment. A statement of concurrence with the dean's evaluation on each of the major criteria will satisfy this requirement. The VPAA will provide an evaluative statement on each of the major criteria on which he or she does not concur with the dean.

In the case of a negative recommendation by the VPAA, the candidate may request an informal discussion with the VPAA. The request must be made within three (3) working days of receipt of the recommendation. The discussion should take place within three (3) working days of receipt of the request. Following the discussion, the VPAA must, within three (3) working days, notify the candidate in writing of the final recommendation.

3.14.4 PRESIDENT'S RECOMMENDATION

The recommendations from all levels will be considered by the President in formulating a recommendation to the Board of Trustees.

Faculty members must be informed of the proposed recommendations to the Board of Trustees at least ten (10) days prior to the Board meeting at which the reappointment action is to be considered.

3.15 CITATION OF DEPARTMENTAL OR INSTITUTIONAL NEEDS

3.15.1 DEPARTMENTAL NEEDS

The citation of departmental needs as a reason for non-reappointment must be validated by detailed statements backing such decision. If department needs are used as a reason for non-reappointment at the departmental level, both the chairperson and the PAC must concur.

3.15.2 INSTITUTIONAL NEEDS

When the administration cites institutional needs beyond the departmental level, there must be evidence of consultation with the faculty of the department affected.

3.15.3 NOTIFICATION TO DEPARTMENT

If the administration deems it necessary to reject recommendations for reappointment, the administration will inform the department involved of the action taken and the rationale for the decision.

3.16 GRIEVANCE AND APPEAL PROCEDURES—STATE [State Contract Article VII.G.5, page 10]

Claims of violation of procedure by any promotion or retention committee must have been reported to the President of the College by the individual grievant within fourteen (14) days from the date on which such claimed violation took place or fourteen (14) days from the date on which the individual grievant should have reasonably known of its occurrence. In the event of failure to report the occurrence within such fourteen (14) day period, the matter may not be raised in any later grievance contesting the validity of such committee's recommendation or any action based thereon.

3.17 RIGHT TO RESIGN

Candidates not to be approved for reappointment by the President of the University will be notified of such a decision no later than ten (10) days prior to the Board of Trustees' meeting scheduled to consider reappointments. The candidate must notify the President of any intention to resign not later than three (3) days prior to said meeting.

4. PROMOTION PROCEDURE

4.1 STATE CONTRACT PROVISIONS [State Contract Article XIV, pages 21-22]

4.1.1 ELIGIBILITY [State Contract Article XIV.A]

Full-time faculty members whose qualifications meet or exceed the requirements for a higher academic rank as set forth in Appendix IV (See Appendix I in this Agreement) shall be eligible for promotional consideration to that rank.

4.1.2 APPLICATION FOR PROMOTION [State Contract Article XIV.B]

An eligible full-time faculty member may make written application for promotional consideration on or before November 1. The application may be accompanied by any substantiating documentation which the individual cares to submit. Nomination of a full-time faculty member for promotional consideration may be made by other than the individual.

4.1.3 DEVELOPMENT OF PROCESS AND CRITERIA [State Contract Article XIV.C]

The procedures for promotional consideration utilized in the College, if universally applicable, or in the division, department or similar unit in which the faculty member is employed, shall be fairly and equitably applied to all applicants and nominees. The procedures shall provide for consideration based on criteria established by the College, appropriate to the College and the work unit. The current and applicable procedures, including a statement of such criteria, shall be provided in written form for the understanding of all affected faculty members.

This provision shall not be construed as a waiver of the Colleges' right to promote, under procedures set by the Colleges, employees not included in the negotiating unit. The Colleges, however, recognize the value of peer consultation and except in unusual circumstances will consult with the involved department concerning the procedures to be used in any particular case.

4.1.4 FINAL PRESIDENTIAL RECOMMENDATIONS [State Contract Article XIV.D]

At each College the committee charged with the final evaluation of promotion applications will be informed by the President or his or her designee of the number of promotions available at the various ranks for that unit or the College as a whole, and will submit its recommendations to the President or his or her designee. Should the President decide to make a recommendation for promotion to the Board of Trustees which is inconsistent with the recommendation of the final committee, he or she shall provide the committee with his or her reasons for that action.

4.1.5 DATE OF FINAL RECOMMENDATIONS [State Contract Article XIV.E]

Final recommendations shall be made to the President on or before February 1 and shall include all pertinent information concerning the applicant.

4.1.6 NOTIFICATION OF FINAL RECOMMENDATIONS [State Contract Article XIV.F]

The final recommendations shall be made known to any applicant or nominee in writing within two (2) days after submission to the President.

4.1.7 GRIEVANCE PROCEDURE [State Contract Article XIV.G]

Within seven (7) days after receipt of the final recommendation to the President a faculty member may initiate a grievance at Step One concerning the application based on an allegation that, after timely filing of his or her application, the promotional procedure was violated or that there was a breach of the rights of the faculty member set forth in Article II concerning discrimination or in Article V concerning academic freedom. Such a claim, if sustained, will result in reprocessing of the application on an expedited basis. A final recommendation in such case shall be made to the President not later than March 1.

4.1.8 NOTIFICATION OF BOARD ACTION [State Contract Article XIV.H, page 22]

Recommendations of the President to the Board of Trustees and the decisions of the Board shall be delivered in writing to the candidate by March 15.

4.1.9 SALARY INCREASE AS A RESULT OF PROMOTION

The promotional salary increase shall be at least equivalent to an increment in the salary range from which the faculty member has been promoted and shall be to a step in the range appropriate to the new academic rank effective in the next academic year.

See also the *State Agreement Article XXII.A, B, and C.1.a.*

4.1.10 LOCAL RESOLUTION OF GOVERNING DATES [State Contract Article XIV.I]

The dates established in this Article for the promotional process may be changed by local agreement.

4.1.11 NOTIFICATION TO PRESIDENT OF CLAIMS OF VIOLATION

[State Contract Article VII.G.5, page 10]

Claims of violation of procedure by any promotion or retention committee must have been reported to the President of the College by the individual grievant within fourteen(14) days from the date on which such claimed violation took place or fourteen (14) days from the date on which the individual grievant should have reasonably known of its occurrence. In the event of failure to report the occurrence within such fourteen (14) day period, the matter may not be raised in any later grievance contesting the validity of such committee's recommendation or any action based thereon.

4.2 LOCAL REVIEW AND RECOMMENDATION PROCEDURES

4.2.1 CONTENTS OF PROMOTION APPLICATION

A promotion application shall consist of: 1) promotion application forms A-E as approved by the Administration and the Union; 2) a curriculum vita; 3) copies of published materials, creative works, and any other appropriate supporting documents and materials which the candidate wishes to submit; and 4) a table of contents listing the materials submitted.

4.2.2 ROUTING OF PROMOTION APPLICATIONS

There shall be three types of promotions: College/School promotions, University promotions, and Special Contributions promotions. A candidate qualified for a College/School or University promotion and a special contributions promotion may apply for both. Assuming eligibility, a candidate may select different channels of review as depicted in the chart on page 33.

4.2.2.1 Routing of successful applications for College/School promotions

Successful College/School promotion applications shall be routed as follows: Department ---> C/SPAC/Dean ---> VPAA (route A-B-C)

4.2.2.2 Automatic Routing of promotions to the University Promotions Committee

Unsuccessful candidates for College/School promotions, after being informed of the C/SPAC's and Dean's evaluations and recommendations or after having appealed these recommendations and having received a written response, will have their promotion files automatically forwarded to the UPC. Unsuccessful candidates not wishing the UPC to consider their materials must so inform their Dean in writing to that effect: their materials will be forwarded directly to the VPAA.

Route: C/SPAC and Dean → UPC → VPAA or

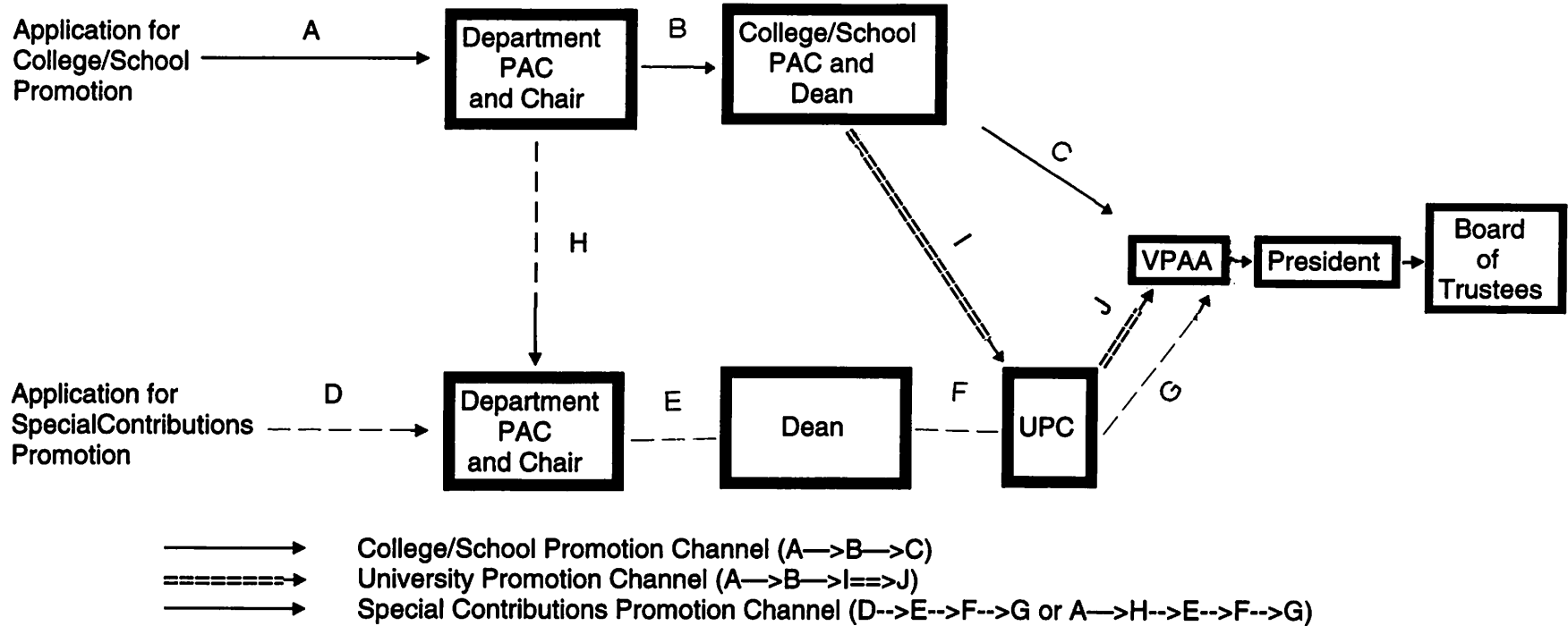
C/SPAC and Dean → → VPAA

All documents pertaining to the candidate generated in the review process up to this point must be forwarded.

4.2.2.3 Routing of special contributions promotion applications

Special contributions promotion applications must be routed as follows: Department ---> Dean ---> UPC ---> VPAA (route D-E-F-G).

Review Channels for College/School Promotions, University Promotions, and Special Contributions Promotions



However, a candidate who applied for a College/School promotion and who is eligible for a special contributions promotion may, after being informed of the departmental (PAC/Chair) recommendations regarding his or her application for College/School promotion or after having appealed these recommendations and having received a written response, request that his or her file be reevaluated on the basis of the weights established for special contributions promotions and that his or her file be routed the special contributions route (H-E-F-G). This request need not abort the candidate's candidacy for College/School or University promotion if he or she wishes to pursue this.

Thus, a special contributions promotion candidate may have his or her application arrive at the UPC under both regular and special contributions weightings.

4.2.3 COLLEGE/SCHOOL OR UNIVERSITY PROMOTIONS

4.2.3.1 Application

A qualified faculty member may submit a request or be recommended at the department level for promotion. A qualified person is one who meets all the criteria set forth in Appendix I, 14.1 (14.1.1 through 14.1.4). Other candidates seeking to establish eligibility through equivalency must meet the provisions as outlined in Appendix I, 14.1.6 and 14.2. In all cases, an application must receive consideration first at the department level. If an application is not approved at the department level, it may be submitted at the College/School PAC level and must be considered. A faculty member may give notice of intent to apply for promotion by April 1, and should submit all forms by October 1 and no later than November 1.

Candidates for promotion should be considered in the usual manner in the present year if they are involved in a promotion grievance from a previous year.

4.2.3.2 Procedures and Recommendations - Department Level

4.2.3.2.1 Department Procedures

The department will develop, approve by department vote, publish and disseminate systematic procedures for promotion which will be submitted to the Overview Committee for acceptance. The aforementioned procedures will include provision for weighting of criteria determined by the administration in consultation with Union-appointed College/School representatives and provision for evaluation of non-teaching assignments and teaching assignments divided between two or more departments.

The departmental procedures may, at the option of the department, allow a candidate to present the application in person to the PAC. In that case all candidates will be given that opportunity, if the candidates so request.

4.2.3.2.2 Student Input

A systematic procedure must be established at the department level to receive student input. The provisions for student input must conform to the guidelines outlined in the General Guidelines for Personnel Actions, Section 2.5. The summary of these evaluations must be included with the promotion application and a copy sent to the candidate.

4.2.3.2.3 Chairperson Evaluation

The department chairperson (or designee) must evaluate a candidate for promotion but is not required to observe personally the candidate's teaching. If the chairperson is a candidate for

promotion, an official designee must be elected. The designee, who cannot be a candidate for promotion, must be elected by the department and must evaluate the candidate. However, the chairperson, if tenured, will serve in all reappointment and tenure recommendations.

4.2.3.2.4 College/School Decision on Ranking Procedures

The manner in which candidates are chosen, ranked, or prioritized will be determined by the faculty of each College/School. A 60% majority vote of all full-time regular faculty members in each College/School is required for adoption. A formal balloting process will determine the procedure that all departments in a College/School must follow.

Each College/School must select one of the following procedures. Each department in the College/School will be bound by the process selected by the College/School vote. The procedures specified in Sections 4.2.3.2.4 through 4.2.3.2.6 will be followed by departments using either of these procedures.

(a) Restricted Rank Order

Department PACs and department chairpersons must rank order the first four candidates for promotion and place any remaining candidates in an aggregate category. The concept of rank ordering precludes the presenting of a tie among the first four ranked candidates in the lists submitted.

The single or combined orders submitted by each department may not be changed by the College/School except under most unusual circumstances. If a College/School PAC or the dean determines that re-ranking is appropriate, they must consult with the department PAC and chairperson and the faculty members involved, prior to the final College/School ranking. The College/School PAC and the dean may decide between differences in the combined rank order of the department PAC and chairperson without consultation.

or:

(b) Prioritize

Department PACs and department chairpersons place the candidates in one of the following three categories: highly recommended; recommended; or not recommended. Candidates within each group are not ranked.

College/School PACs and deans are not bound by departmental recommendations, but must give them serious consideration.

4.2.3.2.5 Department PAC and Chairperson Lists

The department PAC and the chairperson shall, independently of each other, determine the list of candidates to be recommended. They may consult and present either a single list or two separate lists of recommended candidates to the College/School Personnel Advisory Committee and the dean.

4.2.3.2.6 Submission of Forms

The department PAC and the chairperson must submit the completed promotion forms, including the recommendations of each, to the candidate.

Each candidate shall have two (2) working days to respond to this recommendation and appeal it in writing. The PAC and the chair must respond to this appeal in writing within four (4) working days.

4.2.3.3 Procedures and Recommendations—College/School Level

4.2.3.3.1 Revisions of Procedures

College/School level procedures must conform to stipulations in other paragraphs of this document and include provisions for weighting of criteria determined by the administration in consultation with Union-appointed College/School representatives.

If revised, procedures must be presented to the Overview Committee for acceptance, submitted to the College/School faculty for approval by a majority vote, and remain in effect until amended. Such procedures are not subject to appeals or grievances.

4.2.3.3.2 General Process

The College/School PAC and the Dean will, independently of each other, determine the list of candidates to be recommended for promotion from that College/School. The number of recommendations will be limited to the number of promotion slots assigned to the College/School by the allocations process. The College/School PAC and the dean will designate the candidates to be included in each category. In addition, the list will further include alternates in consecutive order, not to exceed 25% of the total number of recommendations from that College/ School. Beyond that, the candidates will be grouped in an aggregate category. The two parties should consult and endeavor to present a single list of candidates to the VPAA.. If agreement does not occur, two lists will be submitted. In the event of differing recommendations, the final selection will be made by the VPAA subject to approval by the President.

4.2.3.3.3 Exceptions

If a College/School PAC and/or a dean selects for a positive recommendation a person not recommended at the department level, or reorders the department rank order, they must consult with the department PAC and the chairperson and the faculty members involved as to the rationale for this decision. The College/School PAC and the dean must decide between differences in the recommendations of the department PAC and the chairperson and need not submit a rationale for this action.

For those Colleges/Schools choosing the prioritize option, each candidate will be notified of his or her recommendation at the College/School level. Should the dean and the C/SPAC submit differing recommendations, the candidate must receive copies of both recommendations. Should the dean and/or the C/SPAC reorder the DPAC's and/or chairperson's recommendations the involved parties (i.e., candidate, DPAC and chairperson) must be notified in a reasonable time period.

4.2.3.3.4 Notification

Each candidate will be notified of his or her recommendation at the College/School level. Should the dean and the College/School PAC submit separate recommendations, the candidate must receive both documents.

Each candidate will have two (2) working days to respond to this recommendation and appeal it in writing. The C/SPAC and/or dean must respond in writing within four (4) working days. Before submission of the materials to the VPAA, the candidate must be provided the opportunity of selecting the UPC review channel as described under 4.2.2, in which case the candidate will not be included in the list of recommendations to the VPAA and no material pertaining to the candidate will be sent to the VPAA by the College/School.

The dean will complete the formal recommendation sheets, which are a part of the promotion materials package for each candidate who has been recommended positively.

All of the promotion forms of candidates not selecting the UPC channel are forwarded from the College/School to the VPAA.

4.2.3.4 Recommendations—VPAA

The VPAA will consider the recommendations of the department PAC, chairperson, C/SPAC , the student summaries and the recommendation of the dean. The VPAA will make a recommendation to the President and forward a copy to the candidate.

If the VPAA reverses a positive recommendation by the C/SPAC and/or Dean, the reason(s) for this reversal must be given in the recommendation to the President. In case of a reversal of a positive recommendation made by the C/SPAC and/or dean, the candidate may request an informal discussion with the VPAA.. The request must be made within three (3) working days of receipt of the recommendation. The discussion should take place within three (3) working days of receipt of the request. Following the discussion, the VPAA must, within three (3) working days, notify the candidate in writing of the final recommendation.

4.2.3.5 Return of Forms

After the final Board of Trustees' consideration, the promotion file of each unsuccessful candidate will be returned to that candidate. Promotion files of successful candidates are placed in his or her official personnel file.

4.2.4 SPECIAL CONTRIBUTIONS PROMOTIONS

4.2.4.1 Application

A qualified faculty member may make written application for special contributions promotional consideration. The application may be accompanied by any substantiating documentation which the individual cares to submit. Nomination of a faculty member for special contributions promotion may be made by other than the individual. A qualified faculty member is one who: 1) meets all applicable criteria set forth in Appendix I; 2) was employed by the University in a full-time position on or before September 30, 1972; and 3) has served continuously in the same rank at MSU since that date.

The department chairperson, department PAC, and dean must verify the eligibility of each candidate.

4.2.4.2 Procedures and Recommendations—Department and College/School Level

4.2.4.2.1 Department Evaluations

The department PAC and the department chairperson will evaluate Special Contributions candidates for promotion following the procedures indicated in Sections 4.2.2.3, 4.2.3.2.1 to 4.2.3.2.3, and 4.2.3.2.6. The candidates will be evaluated according to the promotional criteria in Appendix II, Section 15, and the weights determined by the Administration in consultation with College/School representatives appointed by the Union. The candidates must show evidence of outstanding contributions to MSU and/or the MSU community and evidence of outstanding teaching.

The department PAC and the department chairperson will either recommend or not recommend each candidate. Candidates may not be ranked. In the case of a positive recommendation, the department PAC and the chairperson are each responsible for submitting an evaluation which describes the outstanding contributions and service which the candidate has given to MSU and/or the MSU community and evidence of outstanding teaching.

The departmental procedures may, at the option of the department, allow a candidate to present his or her application in person to the PAC. In that case all candidates will be given that opportunity, if the candidates so request.

4.2.4.2.2 Department Recommendations

The department PAC and the department chairperson will, independently of each other, either recommend or not recommend each candidate for promotion. They may consult and present either the same or differing recommendations to the dean. All promotion materials for all applicants and recommendations will be forwarded by the department chairperson and the department PAC to the dean.

Before recommendations and accompanying materials are passed to the dean, the applicant must be informed in writing and must have two (2) working days to respond to or appeal the recommendations. The department must respond to the appeal in writing within four (4) working days. Appeal and response become part of the file forwarded to the dean.

4.2.4.2.3 Dean's Recommendation

The dean will evaluate and either recommend or not recommend each College/School candidate for a special contributions promotion.

4.2.4.2.4 Dean and Department Consultation

If the dean selects for a positive recommendation a person not recommended at the departmental level, he or she must consult with the department PAC and the chairperson as to the rationale for this decision.

4.2.4.2.5 Applicant Response Opportunity

Before the dean's recommendation and accompanying materials are passed on to the UPC, the applicant must be informed in writing and will have two(2) working days to respond to or appeal the dean's recommendation. The dean shall respond to the appeal in writing within four (4) working days. Appeal and the dean's response become part of the file forwarded to the UPC.

4.2.4.2.6 Forwarding of Forms

All promotion materials for applicants and recommendations will be forwarded by the dean to the University Promotions Committee.

4.2.5 PROMOTIONS REVIEWED BY THE UPC

4.2.5.1 UPC Evaluation

The UPC will evaluate applications for promotions routed to it by College/School PACs as well as special contributions promotions. When evaluating applications the UPC must use the weights appropriate to the type of promotion. If a candidate has submitted applications under both College/School and special contributions criteria, the UPC will evaluate both applications according to procedures developed by the UPC. The application may be successful under either but not both of the two channels.

4.2.5.2 UPC Procedures

The UPC will establish and publish its procedures. These procedures must be presented to the Overview Committee for its written approval and will remain in effect until amended. These procedures are not subject to appeals or grievances.

4.2.5.3 Allocation of Special Contributions Promotions

In years in which a specified number of promotions are allocated to the UPC for special contributions promotions, the UPC will select from the candidates it recommends for special contributions promotions the most meritorious, the total corresponding to the number specified for that year.

4.2.5.4 UPC Ranking Procedures

For the remaining promotion slots allocated to the UPC, the UPC will rank order on the basis of merit a number of candidates equal to the number of promotion lines available. Candidates for University promotions and special contributions promotions will be considered for this ranking. In addition, the UPC will further include alternates in priority order, not to exceed 25% of the total number of positive recommendations from the UPC. Beyond that, recommended candidates will be grouped in an aggregate category. Complete application files of all candidates will be forwarded to the VPAA. Promotions not utilized by the UPC will revert to the Allocations Committee for redistribution.

4.2.5.5 Forwarding of Forms

The UPC will forward its recommendations to the VPAA. THE VPAA will consider the recommendations of the department PAC, chairperson, C/SPAC (except for Special Contributions promotions), the student summaries, the recommendation of the dean, and the recommendation of the UPC. The VPAA will make a recommendation to the President and will forward a copy to the candidate.

4.2.5.6 VPAA Recommendation

If the VPAA reverses a positive recommendation by the UPC, the reason(s) for this reversal must be given in the recommendation to the President.

4.2.5.7 Applicant Response Opportunity

In case of a reversal of a positive recommendation made by the UPC, the candidate may request an informal discussion with the VPAA. The request must be made within three (3) working days

of receipt of the recommendation. The discussion should take place within three (3) working days of receipt of the request. Following the discussion, the VPAA must, within three (3) working days, notify the candidate in writing of the final recommendation.

4.2.6 ALLOCATION OF PROMOTION SLOTS

4.2.6.1 Formula

The Allocations Committee will assign the number of available promotion slots to the University Promotions Committee and the Colleges/Schools as soon as the total number becomes known. Twenty-five (25) percent of the available promotion slots will be allocated to the UPC. The allocations of the remainder to the Colleges/Schools will be based on the proportion of FTE regular faculty lines in each College/School in relation to the total faculty of the University. Special contributions promotions applications will compete with other promotion applications routed to the UPC.

4.2.6.2 Distribution of Promotions by Ranks

The Allocations Committee has the responsibility to see that the promotions requested by the Colleges/Schools are feasible within the lines available at the University.

4.2.7 GRIEVANCE PROCEDURE

Alleged violations of discrimination, academic freedom or incorrect procedures must be processed by the grievance procedure outlined in the *State Contract*. Timely notification to the President must also be made as provided for in *Article VII G 5* of the *State Contract*.

4.2.8 CONSULTATION ON WEIGHTS APPLIED TO PROMOTION CRITERIA

The weights assigned to promotion criteria appear in Appendix II. The University recognizes the value of peer consultation on the weights assigned to promotion criteria and will consult with Union-appointed faculty representatives from each College/School before any changes are implemented.

4.2.9 GROWTH PROMOTIONS FOR LIBRARIANS

4.2.9.1 Availability of Growth Promotions

There will be made available one (1) growth promotion from Librarian III to Librarian II in each fiscal year covered by this Agreement. A growth promotion will become effective at the beginning of the fiscal year following the year in which applications were reviewed and processed. Growth promotions will be in addition to any structural promotions that may occur.

4.2.9.2 Goal and Definition of Growth Promotions

The goal of the growth promotion process is to recognize Librarians in a Librarian III position who have demonstrated competency and expertise in the handling of their regular assignment by promoting them to a higher rank and salary while maintaining their present structural position.

4.2.9.3 Eligibility

A Librarian III who has completed one year of full-time service at MSU prior to the application deadline and who meets the qualifications for rank of Librarian II listed in *Appendix IV* of the *State Contract* may apply for a growth promotion.

4.2.9.4 Criteria for Evaluation of Applications

The criteria to be used in the evaluation are those listed under Criteria for Promotion in Appendix IV (see Section 14.4 in this Agreement) of the *State Contract*. If the criteria are broken down into more specific criteria, these criteria must be discussed with librarians III at the beginning of the period to which they pertain. If weights are assigned to criteria, the same obligation exists.

4.2.9.5 Applications

A candidate applying for a growth promotion will submit an application to the library PAC. The application must include a self-evaluation and a performance evaluation by the immediate supervisor based on the criteria referred to in Item 4.2.9.4 above. The immediate supervisor's evaluation will be submitted to the candidate and the LPAC. Each candidate will have two (2) working days to respond in writing to the supervisor's evaluation. The supervisor must respond in writing within four (4) working days of receipt of the candidate's communication.

4.2.9.6 Routing of the Applications

4.2.9.6.1 LPAC Review

Applications will be reviewed by the LPAC which will rank order the candidates.

4.2.9.6.2 Response to LPAC Review

The library PAC will inform each candidate in writing of its recommendation. A candidate will have two (2) working days to respond to the LPAC's recommendation and to appeal it in writing. The LPAC must respond to this appeal within four (4) working days.

4.2.9.6.3 Forwarding of LPAC Recommendations

The library PAC will forward its recommendations and all applications and supporting documents to the associate/assistant library director for the division that the candidate is in.

4.2.9.6.4 Associate/Assistant Director Review

The associate/assistant director will review these documents and rank order the candidates. The associate/assistant director must inform each candidate in writing of his or her recommendation. A candidate will have two (2) working days to respond to the associate/assistant director's recommendation and to appeal it in writing. The associate/assistant director must respond to this appeal within four (4) working days.

4.2.9.6.5 Forwarding of Recommendations by Associate/Assistant Director

The associate/assistant director will forward his or her recommendations, the recommendations of the LPAC, and all applications and supporting documents to the director of the library.

4.2.9.6.6 Director's Review

The director will review these documents and rank order the candidates. If the LPAC's and the director's recommendations differ, they must consult and attempt to resolve their differences. The LPAC's and the associate/assistant director's recommendations will accompany the director's recommendations to the VPAA.

4.2.9.6.7 Candidate Response to Director's Review

The director must inform each candidate in writing of his or her recommendation to the VPAA. Each candidate will have two (2) working days to respond to the director's recommendation and to appeal it in writing. The director must respond to this appeal within four (4) working days. If the director's recommendation differs from the recommendation of the LPAC, the director will, if requested in writing by the candidate, give the reason for deviating from the LPAC'S recommendation.

4.2.9.6.8 VPAA Recommendation

The VPAA will make a recommendation to the President.

4.2.9.6.9 Candidate's Response to VPAA Recommendation

If the VPAA reverses a positive recommendation by the director, the affected candidate may request that the reasons for this reversal be provided. The request must be made in writing within five (5) days of notification and must be responded to in writing within five (5) working days of receipt of the request.

4.2.10 ADDITIONAL PROMOTIONS

4.2.10.1 Increasing the List

If future budgetary conditions permit additional promotions or if the University Promotions Committee does not utilize all its promotions, the Allocations Committee will convene to allocate the additional promotions to the Colleges/Schools.

4.2.10.2 Automatic Promotion of Non-tenured Instructors

Non-tenured instructors whose letter of appointment contains an automatic promotion clause will be automatically promoted to assistant professor upon obtaining an earned doctoral degree or an appropriate terminal degree.

These candidates will not be subject to the normal promotion process. These promotions will not be charged against the regularly allocated promotions of the unit. When written verification that the doctorate or appropriate terminal degree has been earned is received by the Vice President for Academic Affairs between January 1 and June 30, the promotion will be effective the following September 1. When such verification is received between July 1 and December 31, the promotion will be effective the following March 2.

4.2.10.3 Promotion of Tenured Instructors and Non-tenured Instructors Ineligible for Automatic Promotion

Tenured instructors and tenure-track instructors ineligible for automatic promotion who obtain an earned doctoral degree or an appropriate terminal degree and with a positive recommendation from their respective department PAC, chairperson, and dean will be promoted to the rank of assistant professor.

These candidates will be subjected to the normal promotion procedures but do not have to be prioritized. These promotions will not be charged against the regularly allocated promotions of the unit. The required promotion forms must be completed and submitted as provided for all promotion candidates in the administrative calendar.

When written verification that the doctorate or appropriate terminal degree has been earned is received by the Vice President for Academic Affairs between January 1 and June 30, the promotion will be effective the following September 1. When such verification is received between July 1 and December 31, the promotion will be effective the following March 1.

4.2.10.4 President's Prerogative

Nothing in this Section dealing with promotions will be construed as prohibiting the President from making additional promotions that he or she feels are justified, if they are consistent with existing criteria and policies and notification to the Allocations Committee has been made.

4.2.11 REAPPOINTMENTS TO HIGHER TITLE FOR PART-TIME FACULTY

4.2.11.1 Reappointment to Higher Title

Promotional procedures, including the above procedures, are not applicable to part-time employees, but they may be appointed/reappointed to a higher title.

4.2.11.2 Peer Review

The reappointment of a part-time faculty member (i.e., a person who occupies a fraction of a regular faculty line) will involve a peer review process paralleling the process for full-time faculty.

4.2.11.3 Allocation

Since part-time faculty members are included in the faculty count, a reappointment of a part-time faculty member to a higher title will be charged against promotion allocations.

4.2.11.4 Procedures and Recommendations

4.2.11.4.1 Criteria

The criteria by which a part-time faculty member is evaluated for reappointment to a higher title will be the same as those used to evaluate full-time faculty members for promotion.

4.2.11.4.2 Peer Review Process

The peer review process for reappointment to a higher title will parallel the process for promotion of full-time faculty at the department level. Using the same time-lines and procedures, the materials of each candidate for reappointment to higher title will be reviewed first by the DPAC and then by the department chairperson. The recommendations will be forwarded by the department to the dean.

4.2.11.4.3 Forms

The information collected and forms used in the evaluation of part-time faculty for reappointment to a higher title will be identical to those used in the evaluation of full-time faculty members for promotion except that they will be relabeled "Reappointment to Higher Title—Part-time Faculty."

4.2.11.4.4 Dean's Recommendation

Should the dean recommend reappointment to a higher title, the recommendation will be forwarded to the VPAA for review and then onto the President. Should the dean recommend against reappointment to a higher title, the candidate will have the option to forward his or her materials directly to the UPC for review.

4.2.11.4.5 UPC Recommendation

The UPC recommendation will be forwarded to the VPAA for review and transmittal to the President.

4.2.11.4.6 Appeal and Grievance Rights

At each stage of the review process, a candidate for reappointment to a higher title will have recourse to appeal and grievance processes identical to those built into the full-time faculty promotion process.

4.2.12 DISTINGUISHED PROFESSOR PROGRAM

4.2.12.1 Overview

These procedures are for use in selecting candidates who are members of the unit for promotion to Distinguished Professor. They were negotiated to implement policy adopted by the Montclair State College Board of Trustees on December 8, 1988.

4.2.12.2 General Applicability of Procedures

These procedures are for use in the case of candidates within the unit nominated for the rank of Distinguished Professor and will conform to all the applicable promotional procedures stipulated in the *State Contract*.

4.2.12.3 Procedures

4.2.12.3.1 Eligibility

Faculty members whose qualifications meet or exceed the requirements for the rank of Distinguished Professor as set forth in Appendix I will be eligible for nomination.

4.2.12.3.2 Nomination for Promotion

An eligible faculty member may be nominated for promotion to the rank of Distinguished Professor by another member of the University community holding faculty rank within thirty days of the announcement by the President that a Distinguished Professor slot is available. Nominations are to be made to the department chairperson. Both the nominator and chairperson must notify the nominee in writing within three (3) working days of his or her nomination. The nominated candidate must indicate in writing to the chairperson within five (5) working days of notification whether or not he or she wishes to be considered.

4.2.12.3.3 Contents of Promotion Application

A nominated candidate who wishes to be considered for promotion must prepare a promotion application which must consist of: 1) curriculum vitae; 2) copies of published material and/or creative work; 3) documentation of teaching effectiveness (e.g., peer and student evaluations, courses

developed and taught, other curricular contributions); 4) evidence of contributions to the University; 5) documentation of participation in professional organizations and learned societies; 6) a table of contents listing the materials submitted; and 7) any other supporting documents and materials which the candidate wishes to submit.

4.2.12.3.4 Routing of Promotion Application

The candidate for promotion to Distinguished Professor must submit the application to the department chairperson and chairperson of the DPAC within thirty days of notice of nomination. A candidate may withdraw his or her candidacy at any time in the process by notifying the dean in writing.

4.2.12.4 Chairperson and DPAC Procedures

4.2.12.4.1 Departmental Procedures

The department will develop, approve by department vote, publish and disseminate systematic procedures for evaluating candidates for promotion to the rank of Distinguished Professor. Such procedures are not subject to appeals or grievances, and must be submitted to the Overview Committee for acceptance. These procedures must include provision for the criteria and their weighting determined by the Administration in consultation with the Union.

The departmental procedures may, at the option of the department, allow a candidate to present the application in person to the DPAC. In that case, all candidates will be given that opportunity, if the candidates so request.

From among the applicant(s), the department chairperson and DPAC will, independently of each other, recommend either one candidate or no candidate for a Distinguished Professorship. They may consult and present either a common recommendation or two separate recommendations to the C/SPAC and the dean.

4.2.12.4.2 DPAC and Chairperson Notification to Candidates

The DPAC and the chairperson must notify each of the candidates of its recommendation.

Each candidate will have two (2) working days to respond to this recommendation and appeal it in writing. The DPAC and the chairperson must respond to this appeal in writing within four (4) working days. The entire promotion file of each nominated candidate will then be forwarded to the C/SPAC and dean.

4.2.12.5 College/School Level: Procedures and Recommendations

4.2.12.5.1 General Process

Procedures will be developed by the C/SPAC and submitted to the College/School faculty for approval by a majority vote, and remain in effect until amended. Such procedures are not subject to appeals or grievances. The College/School approved procedures must be submitted to the Overview Committee for approval.

From among the recommendations of the chairpersons and DPAC's, the C/SPAC and the dean will, independently of each other, recommend a maximum of two candidates, without ranking, from that College/School. The C/SPAC and the dean must consult and endeavor to present a common recommendation to the University Promotion Committee within thirty days of receipt of the departmental recommendations. If agreement does not occur, two lists will be submitted.

4.2.12.5.2 Exceptions

The positive recommendations of the department PAC and chairperson may not be changed except under most unusual circumstances. If the C/SPAC and/or dean selects for a positive recommendation a person not recommended at the department level, they must consult with the department and the faculty members involved as to the rationale for this decision. If the recommendations of the department PAC and chairperson differ, the C/SPAC and dean must make a decision between the recommendations and need not submit a rationale for this action.

4.2.12.5.3 Notification

Each candidate will be notified of his or her recommendation at the College/School level. Should the dean and C/SPAC submit separate recommendations, the candidate must receive both documents.

Each candidate will have two (2) working days to respond to this recommendation and appeal it in writing. The C/SPAC and/or dean must respond in writing within four (4) working days.

The dean will make a formal recommendation for each candidate who has been positively recommended by the dean and C/SPAC or the dean alone. If candidates are recommended by the C/SPAC alone, the chair of the C/SPAC will prepare a recommendation for those candidates.

The dean will forward the promotion files of all candidates who received positive recommendations at the College/School level to the UPC.

4.2.12.6 UPC level: Procedures and Recommendations

4.2.12.6.1 General Process

The UPC will establish and publish its procedures for evaluating candidates for promotion to the rank of Distinguished Professor. These procedures must be submitted to the Overview Committee for its written approval and will remain in effect until amended. These procedures are not subject to appeals or grievances.

The UPC will evaluate applications for promotion to the rank of Distinguished Professor of candidates recommended at the College/School level within thirty working days of their receipt. When evaluating candidates the UPC will use the criteria and weights appropriate to the rank of Distinguished Professor. The UPC may decide between differences in the recommendations of the College/School Dean and C/SPAC and need not submit a rationale for this action.

The UPC will recommend for promotion to the rank of Distinguished Professor no more than two candidates for each slot allocated by the President at that time. If two candidates are submitted, they must be ranked. The UPC must notify candidates of its recommendations in writing.

4.2.12.6.2 Forwarding of Forms

The UPC will forward its recommendations, along with the files of all candidates, to the VPAA. The VPAA will consider the recommendations of the DPAC, Chairperson, C/SPAC, the student summaries, the recommendations of the dean and the recommendation of the UPC. The VPAA must notify each candidate of her or his recommendation and forward the folders of candidates recommended by him and/or the UPC to the President within thirty days of receipt of the UPC recommendations.

4.2.12.6.3 VPAA Recommendation

If the VPAA reverses a positive recommendation by the UPC the reason(s) for this reversal must be given in writing to the candidate and forwarded to the President.

4.2.12.6.4 Applicant Response Opportunity

In case of a reversal of a positive recommendation made by the UPC, the candidate may request an informal discussion with the VPAA. The request must be made within three (3) working days of receipt of the recommendation. The discussion should take place within three (3) working days of receipt of the request. Following the discussion, the VPAA must, within three (3) working days, notify the candidate in writing of the final recommendation.

4.2.12.6.5 President's Recommendation

The recommendation of the President to the Board of Trustees will be forwarded to the candidates at least four weeks before the Board of Trustees meeting at which action is to be taken. The candidate will be notified of the action of the Board of Trustees within one week of the action.

5. SABBATICAL LEAVES

[Articles 5.1 through 5.3.8 are quoted from the State Contract, Article XXVII, pages 45-46]

5.1 *[State Contract Article XXVII.A.1]*

The STATE agrees to continue, as herein modified, a sabbatical leave program. In each year of this Agreement the State Colleges will be authorized to grant one hundred sixty (160) half-year leaves. At each College two (2) half-year leaves may be combined into one (1) full-year leave. These leaves will be apportioned among the Colleges on a basis proportional to the number of eligible faculty members and librarians at each College with at least six (6) consecutive years of service at a College.

5.2 ELIGIBILITY - APPLICATION - APPROVAL

5.2.1 *[State Contract Article XXVII.A.1]*

All full-time tenured faculty members . . . and librarians who, as of June 30 prior to the year for which the leave is requested, have completed a period of six (6) or more consecutive years of service at a College shall be eligible to apply for a sabbatical leave during the 1995-96, 1996-97, 1997-98, or the 1998-99 academic years. Sabbatical leaves are granted no more frequently than once every seven (7) years.

5.2.2 *[State Contract Article XXVII.A.2.a]*

Application shall be submitted to the President of the College no later than February 1st of each year.

5.2.3 *[State Contract Article XXVII.A.2.b]*

Application may be made for the purpose of pursuing a substantial project designed to yield publishable results and/or enhance competency as a scholar or teacher. Sabbatical leaves may also be granted for the pursuit of an accredited terminal degree program in an appropriate field of study. For faculty in the area of the fine and performing arts, creative work may be considered the equivalent of scholarship.

5.2.4 *[State Contract Article XXVII.A.2.c]*

A committee will be established under the governance structure of each College to review the academic merits of each application and make recommendations to the President. The UNION shall have the right to appoint one employee observer to such committee. The committee shall conduct its review and make its recommendations by no later than March 1st of the year involved.

5.2.5 *[State Contract Article XXVII.A.2.d]*

The President shall take into consideration the recommendations of the committee and shall make recommendations for approval or disapproval to the Board of Trustees.

5.3 TERMS OF SABBATICAL LEAVE

5.3.1 *[State Contract Article XXVII.B.1]*

Half-year leaves shall be at the rate of three-quarters (3/4) salary.

5.3.2 *[State Contract Article XXVII.B.2]*

Full-year leaves shall be at the rate of half (1/2) salary.

5.3.3 [State Contract Article XXVII.B.3]

For librarians, half-year leaves shall be five (5) months, and full-year leaves ten (10) months.

5.3.4 [State Contract Article XXVII.B.4]

The period of the leave shall be credited for increment purposes, where such credit is relevant.

5.3.5 [State Contract Article XXVII.B.5]

A faculty member or librarian on sabbatical leave shall be entitled to the continuation of pension and insurance program benefits as provided in the applicable plans.

5.3.6 [State Contract Article XXVII.B.6]

Each faculty member or librarian accepting a leave must sign a written statement obligating him or her to continue to serve for at least one (1) year after expiration of the term of the leave, unless waived by the President of the College.

5.3.7 [State Contract Article XXVII.B.7]

Faculty members or librarians on such leave are permitted to receive additional compensation in the form of fellowships, government grants, and honoraria for purposes related to the leave and part-time employment directly related to the project at an institution where they are in residence for the purpose of study and research in addition to the partial salary from the College, provided that total compensation from all sources does not exceed such faculty members' full salary at the College. The leave may not be used to accept paid employment during the period of the leave except as provided above.

5.3.8 [State Contract Article XXVII.B.8]

Faculty or librarians on sabbatical leave may engage in outside employment if it does not conflict with the purpose of the sabbatical leave or N.J.A.C. 9:2-10.1, et seq., and the faculty member or librarian reports the outside employment before going on leave

5.4 LOCAL APPLICATION AND REVIEW PROCEDURES

5.4.1 Applications should be made on the forms provided to the appropriate department chairperson on or before the date stated in the University administrative calendar. The applicant should clearly state the objective and/or goals of the proposed sabbatical leave and develop fully (where applicable) the problem, the plan, and process/methods for achieving the stated objectives. Supporting or corroborating documents are especially useful.

5.4.2 Applications will be reviewed and recommendations made by the Department Personnel Advisory Committee, the department chairperson, and the dean of the College/School. All applications and recommendations will be forwarded to the office of the Vice President for Academic Affairs.

5.4.3 The VPAA will forward all applications and recommendations to the Sabbatical Review Committee for review and recommendations.

5.4.4 COMMITTEE RECOMMENDATION

The Committee must consider all applications and recommendations submitted and will develop a rank-ordered list of those individuals recommended for sabbatical leave. The report of the Committee will be forwarded to the VPAA.

5.4.5 RECOMMENDATIONS—VPAA

The VPAA will consider the recommendations of the department PAC, chairperson, dean, and Sabbatical Review Committee. The VPAA will make a recommendation to the President and will forward a copy to the candidate.

If the VPAA reverses a positive recommendation by the Sabbatical Review Committee, the reason(s) for this reversal must be given in the recommendation to the President.

In case of a reversal of a positive recommendation made by the Sabbatical Review Committee, the candidate may request an informal discussion with the VPAA. The request must be made within three (3) working days of receipt of the recommendation. The discussion should take place within three (3) working days of receipt of the request. Following the discussion, the VPAA must, within three (3) working days, notify the candidate in writing of the final recommendation.

5.4.6 NOTIFICATION OF ACTION

The applicant must be informed in writing at each and every level of consideration of the recommendations and reasons given (if not recommended) within three (3) working days of the actions taken.

5.4.7 APPEAL PROCEDURE

An applicant may appeal a negative recommendation from the Sabbatical Review Committee to the University Faculty Review Board within seven (7) days of receiving notification from the Sabbatical Review Committee of its recommendation. (See Section 1.3.2.)

5.4.8 FINAL RECOMMENDATIONS

All recommendations will be forwarded to the President, who will make her or his recommendations to be acted upon by the Board of Trustees.

5.4.9 SABBATICAL LEAVE REPORT

Faculty members receiving a sabbatical leave will submit a summary of the activities or project accomplished during the Sabbatical within four weeks after returning to the University. This summary will be submitted to the President or his or her designee through the usual administrative channels, and a copy placed in the appropriate file.

6. FACULTY RETRAINING PROGRAM

In compliance with the *Letter of Agreement II in the 1995-1999 Agreement between the State of New Jersey and the Council of New Jersey State College Locals*, Montclair State University and Local 1904 agree to facilitate the retraining of tenured faculty members for part-time or full transfer to departments identified as those in high need of qualified faculty. The program is described in Letter of Agreement I (see Section 18) appended to this document.

7. MULTI-YEAR CONTRACTS FOR FULL-TIME PROFESSIONAL STAFF (NON-FACULTY)

7.1 Reference to State Contract Provisions

Appendix I (pages 55-58) of the State Contract includes the provisions for multi-year contracts for (non-faculty) Professional Staff. Included below are the Local Provisions negotiated to implement the State Guidelines.

7.2 ELIGIBILITY FOR MULTI-YEAR CONTRACTS

Each member of the professional staff not holding faculty rank or concurrent academic rank who is a member of the State College bargaining unit will be eligible for a multi-year appointment after completion of five years of probationary service.

7.3 LENGTH OF MULTI-YEAR CONTRACT

Length of the multi-year contract will be governed by the provisions of the *State Contract* regarding this issue.

7.4 REVIEW FOR A MULTI-YEAR CONTRACT

Each candidate for a multi-year appointment contract will undergo a thorough and rigorous review of his or her qualifications for continued employment at the University, and such employee will be expected to present evidence of past performance and future potential such as to warrant the granting of a multi-year contract in the candidate's professional staff position.

7.5 EVALUATION PROCESS

7.5.1 The steps in the evaluation process will take place according to the dates established in the University calendar.

7.5.2 All materials used in this evaluation must be made available to the candidate.

7.5.3 At each step in the evaluation process the candidate will have three (3) working days in which to respond to evaluations and/or recommendations before these documents are submitted to the next step in the process.

7.5.4 The President or her or his designee will develop and disseminate a list of all candidates for multi-year contracts and identify the non-unit supervisors responsible for each evaluation. That non-unit supervisor will be responsible for insuring that the candidate receives all necessary documents, a minimum of five (5) working days before the first step in the application and evaluation process. In the event that the candidate does not receive the material by the deadline he or she will still have the full five (5) days to prepare the self-assessment. This will include an action timetable.

7.5.5 The entire professional performance record of a member of the professional staff will be considered at the time such employee is being considered for a multi-year appointment contract. The candidate may include any additional materials which he or she deems appropriate.

7.5.6 Each member of the professional staff who is eligible for a multi-year appointment contract will prepare a written self-evaluation, which will include: (1) a complete description of current professional responsibilities; (2) a review of current and past performance and achievements bearing on the contemplated personnel action; (3) an analysis of professional contributions and potential for continued development; and (4) a statement of professional goals and objectives for the term of the appointment (Form B). The candidate may include any additional information which he or she deems appropriate; for example, prior years' evaluations.

7.6 EVALUATION PROCEDURES

7.6.1 INITIAL CONFERENCE WITH IMMEDIATE SUPERVISOR

The candidate will meet with his or her immediate supervisor to:

- review the evaluation process and procedures;
- update his or her job description (see Section 7.10);
- discuss the specifics of the criteria that will be applied to the candidate's assessment.

The criteria will relate to the responsibilities of the candidate and the contributions to the University and community in the period or periods evaluated.

Following the consultation the candidate will receive, in writing, a statement of the specific criteria to be applied by the immediate supervisor in evaluating the candidate. If the candidate and the immediate supervisor disagree on the appropriate evaluative criteria, the candidate may attach a statement to this effect for inclusion in his or her review folder.

7.6.2 EVALUATION BY THE SUPERVISOR

The supervisor will consider the self-evaluation and he or she will develop an evaluative report of the candidate's professional performance and potential for future growth. The candidate must have a copy of the report. The candidate will indicate by written signature that he or she has had opportunity for review and comment.

7.6.3 RECOMMENDATION BY DIVISION HEAD

The entire reappointment file will be forwarded to the appropriate division head who will react to the appraisals and will make a recommendation to the President with a copy to the candidate. In cases where the division head's recommendation differs from that of the immediate supervisor, a statement of reasons must be provided.

7.6.4 RECOMMENDATION BY THE PRESIDENT

The President will consider all of the material submitted on behalf of the candidate and will present only positive recommendations to the Board of Trustees. The candidate will be notified of the President's decision to recommend or not recommend reappointment not less than ten (10) days prior to the Board of Trustees' meeting at which positive recommendations would be considered.

7.6.5 NOTIFICATION OF BOARD ACTION

Professional Staff members must be notified no later than December 15 in their fifth full year of service of their appointment to a multi-year contract.

7.6.6 FILING OF MATERIALS

Upon completion of the process, the evaluation materials will be placed in the candidate's personnel file in accordance with the provisions of *Article XXIX of THE STATE/Union Agreement*. The candidate's personnel file will be available to the supervisor and appropriate administrative officers for use in making subsequent recommendations.

7.7 DEFINITION OF IMMEDIATE SUPERVISOR

For the purposes of this Article, the immediate supervisor will be construed as that supervisory management level person not included in the State College negotiating unit and who is first reached in the normal chain of command leading from the candidate.

7.8 APPEAL

Within three (3) working days following the decision of the division head, any candidate may request the convening of the University Professional Staff Review Board to review any recommendations, providing the complaint is inadequate consideration.

7.9 STATUTE GOVERNING MULTI-YEAR CONTRACTS—18A:60-6

Members of the professional staff not holding faculty rank may be appointed by a Board of Trustees for one-year terms; provided, however, that after employment in a college for five consecutive academic years, such employees may be offered contracts of no more than five years in length. During the period of such contracts, such employees will be subject to dismissal only in the manner prescribed by sub-article B of Article 2 of Chapter 6 of Title 18A of the New Jersey Statutes, and must be notified by the President not later than one year prior to the expiration of such contracts of the renewal or nonrenewal of the contract.

7.10 PROFESSIONAL STAFF RECLASSIFICATIONS

If, as a result of the initial conference with the immediate supervisor (see Section 7.6.1), an employee believes that a substantial change in job responsibilities has occurred, he or she may apply to the first level non-unit supervisor for a position reclassification.

8. PROFESSIONAL STAFF PERSONAL DEVELOPMENT LEAVE (NON-FACULTY)

8.1 Reference to State Contract Provisions

The College will implement the Personal Development Leave program for Professional Staff except librarians. *The program is specified in Article XVI Section J of the Agreement between the State of New Jersey and the Union [page 25].* The purpose of this program is to provide Professional Staff members with an opportunity for personal development. The personal development indicated in the *Agreement* is aimed at improving professional skills mutually beneficial to the University and the employee.

8.2 ELIGIBILITY

8.2.1

All full-time Professional Staff not serving on the Professional Development Peer Review Committee are eligible to apply for Personal Development Leave of up to one semester.

Leaves of one semester duration will be granted no more frequently than once every six (6) years. Leaves of shorter duration will be granted no more frequently than once every three (3) years.

8.2.2

Applications should be made on the forms provided and the application should clearly state the objective and/or goals of the proposed professional development leave. Approved applications submitted in the Spring and requested for a Fall semester leave will be granted after the appropriate review absent undue hardship for the section and/or unforeseen circumstances for the individual. In this case, the individual must be given leave no later than the Spring semester of the academic year for which the application was made. When an approved leave is denied because of undue hardship for the section and that denial delays the leave into the next Fall, the individual may resubmit the application and must be placed at the top of the list by the Professional Development Peer Review Committee for the Fall semester.

8.2.3

Applications will be submitted to the immediate supervisors and the Professional Development Peer Review Committee no later than the dates specified in the administrative calendar. If the immediate supervisor is also a candidate, applications will be submitted to the next level of supervision.

8.2.4

Applications may be made for the purpose of pursuing a substantial project designed to enhance professional expertise. Personal Development Leaves may also be granted for advanced study or for the pursuit of an accredited terminal degree program in an appropriate field of study mutually beneficial to the University and the employee.

8.3 PROFESSIONAL DEVELOPMENT PEER REVIEW COMMITTEE

8.3.1 COMPOSITION

The Professional Development Peer Review Committee will consist of the following:

8.3.1.1 Four Professional Staff members in the negotiating unit, including at least one (1) Professional Staff member from the Division of Academic Affairs, at least one (1) Professional Staff member from the Division of Institutional Advancement and at least one (1) Professional Staff member from the Division of Student Development and Campus Life, and having at least three (3) years of service at the University. They will be elected by the unit Professional Staff members.

When considering applications for Staff Training for Professional Development, the Committee will expand to include one (1) representative from the librarian group.

8.3.1.2 One Union observer (non-voting).

8.3.1.3 The chairperson (non-voting), to be appointed by the President.

8.3.2 READERS

There will be two (2) Professional Staff members (Readers) appointed by the President or his or her designee from a list of four (4) Professional Staff members (unit or non-unit) suggested by the applicant on the basis of relevant expertise. The Readers will provide the Committee with their evaluation of an applicant's proposal.

8.3.3 TERM

Elected Professional Staff members will serve for a one-year term. No elected person may serve for more than three consecutive years. To provide continuity the Committee will, in years in which no member is reelected, elect one member to serve one additional year without vote.

8.3.4 ELECTION

The non-voting chair will solicit names for the Committee and conduct a mail ballot election by the date specified in the Administrative Calendar.

8.4 FUNCTION

8.4.1 The Review Committee is charged with the responsibility of reviewing and making recommendations on applications for Personal Development Leaves. The Committee will announce the availability of Personal Development Leaves and make available to applicants instructions on how to apply.

8.4.2 Upon receipt of applications the Committee will proceed as follows:

8.4.2.1 The two (2) independent Readers' evaluations will be forwarded to the Committee.

8.4.2.2 The Committee will evaluate the applications, taking into consideration the Readers' evaluations, and the four elected Professional Staff members will group them into two categories, recommended and not recommended.

The recommended group will be arranged in rank order on the basis of the merit of the proposal. In the case of equal merit, seniority of the applicant will be a factor in the ranking.

8.4.2.3 The application, the Readers' evaluations and the Committee's recommendations and rankings will be forwarded to the President's designee.

8.5 CRITERIA FOR REVIEW OF PERSONAL DEVELOPMENT LEAVE APPLICATIONS

8.5.1 PRIORITY CRITERIA

Priority will be given to developmental activities that cannot be funded through other means (e.g., funds available for personnel development or staff training). Where the leave is granted for course work or pursuit of an advanced degree, the leave (maximally four months) may be taken according to the calendar of the institution the person is attending.

8.5.2 GENERAL CRITERIA

In assessing applications, the assessors will make their recommendations based upon how completing the proposed activity will improve professional skills mutually beneficial to the University and the employee in the following areas: contribution to office, department, division or University; contribution to the community; contribution to the profession; acquisition of new or improvement of current skills or knowledge; innovation/creativity; publications; research. These criteria will be made part of the leave announcement.

8.6 APPLICATION AND COMMITTEE REVIEW PROCEDURES

8.6.1 APPLICANT RESPONSIBILITY

The applicant will prepare his or her application in duplicate. One copy will be forwarded to the Peer Review Committee. One copy will be forwarded to the immediate supervisor. (See 8.7 Administrative Review.)

8.6.2 RIGHT TO AN INTERVIEW

Prior to completion of the review of applications by the Committee, a candidate may request in writing and must receive an appearance before the Committee to amplify his or her proposal.

8.6.3 COMMITTEE ACTIONS

The Committee will provide a rank order of those applications that are recommended and an alphabetical list of those that are not recommended. Each applicant must be notified in writing of the action of the Committee with regard to his or her application.

8.6.4 RIGHT TO A MEETING

The applicant may request in writing a meeting with the Committee. Such request must be received by the Committee within five (5) working days after the applicant's receipt of notification of the Committee's action. The Committee must meet with the applicant within five (5) working days after receipt of the applicant's request for a meeting.

8.6.5 FORWARDING OF RECOMMENDATIONS

The Committee will indicate its recommendations in a letter to the President's designee and simultaneously inform each applicant of its final recommendation as it pertains to the individual applicant.

Reasons for the Committee's decision to recommend or not recommend will be forwarded to the applicant and the President's designee.

8.6.6 RIGHT TO APPEAL

Appeals from Committee recommendations may be made to the Professional Staff Review Board within ten (10) working days of written notification. The Professional Staff Review Board will submit its written recommendations and rationale to the President's designee and the appellant.

8.7 ADMINISTRATIVE REVIEW

8.7.1 IMMEDIATE SUPERVISOR

8.7.1.1 The immediate supervisor evaluates the merits of the application using the guidelines in 8.4 and indicates whether or not the absence of the individual for the period stated will create an undue hardship for the section in which the applicant is employed.

8.7.1.2 If the immediate supervisor, in consultation with higher level supervision, indicates that the absence of the individual for the period requested will create an undue hardship for the section in which the applicant is employed, he or she must meet with the candidate and devise a plan that will accommodate the mutual interests of the applicant and the University with a maximum delay of one semester.

8.7.1.3 The supervisor forwards his or her recommendation to the division head with a copy to the applicant. If more than one positive recommendation is made, a priority order must be indicated. Negative recommendations must also be reported.

8.7.2 DIVISION HEAD

Upon receipt of the recommendations from the supervisors, the division head will evaluate the applications as in 8.7.1.1 above and forward his or her recommendations, positive ones in order of priority, to the President's designee. The applicant must be informed of the recommendation regarding his or her application.

8.7.3 PRESIDENT'S DESIGNEE

8.7.3.1 Upon receipt of the recommendations from the four division heads and the recommendations from the Review Committee, the President's designee will meet with the division heads to develop a combined list of recommended applications in priority order.

8.7.3.2 The President's designee will attempt to resolve differences in the recommendations made by the division heads and those made by the Review Committee. In the event resolution cannot be accomplished, two lists will be forwarded to the President.

8.7.3.3 Applicants will be informed of the final recommendation to the President.

8.7.3.4 The President's designee will be the same person for each cycle in the application review and recommendation process.

8.7.4 PRESIDENT

8.7.4.1 The President will receive and evaluate the recommendations and submit her or his positive recommendations to the Board of Trustees.

8.7.4.2 The President will inform the candidates of her or his recommendations no later than ten (10) days prior to the BOT meeting at which the recommendations will be considered.

8.8 TERMS OF PERSONAL DEVELOPMENT LEAVES

Professional Staff members on such leave are permitted to receive additional compensation in the form of fellowships, government grants, and honoraria for purposes related to the leave, and part-time teaching positions at an institution where they are in residence for the purpose of study and research, in addition to the partial salary from the University, provided the total compensation from all sources does not exceed the Professional Staff member's full salary at the University. The leave may not be used to accept full-time paid employment during the period of the leave. Personnel on Personal Development Leaves may not be precluded from continuing outside employment which they had prior to going on leave.

8.9 REPORT

Professional Staff members receiving a Personal Development Leave will submit a summary of the activities or project accomplished during the leave within four weeks after returning to the University. This summary will be submitted to the President or her or his designee through his or her immediate supervisor and division head and a copy will be placed in the appropriate personnel file.

8.10 COMMITMENT OF PROFESSIONAL STAFF MEMBERS RECEIVING A PERSONAL DEVELOPMENT LEAVE

Professional Staff members receiving a Personal Development Leave will, before accepting this benefit, commit themselves in writing to at least one more calendar year of association with the University upon return from this leave.

If in the opinion of the President extenuating circumstances exist, the University may waive this requirement.

8.11 STAFF TRAINING FOR PROFESSIONAL DEVELOPMENT

To more closely address the needs and the importance of professional development for unit Professional Staff members and librarians a supplemental Staff Training for Professional Development account will be established in each academic year of this contract, subject to the availability of funds. In addition to other funding sources for seminars, workshops, courses and conferences related to their area of responsibility, professional staff and librarians may make application to the Professional Development Peer Review Committee to use these resources.

8.12 PROFESSIONAL STAFF LEADERSHIP DEVELOPMENT PROGRAM

8.12.1 PROGRAM PURPOSE

One of the important functions of a University is to encourage the professional development of its Professional Staff members. The Professional Staff Leadership Development Program is established to give wider recognition to the important contributions of unit Professional Staff members and to facilitate avenues for their professional development.

The Leadership Development Program will provide the opportunity for a full-time Professional Staff person to work on assignment in the Offices of the Division Heads. Tasks assigned to the Professional Assistant will be at a level designed to enhance the credentials of Professional Staff members seeking administrative positions.

8.12.2 ELIGIBILITY

Full-time Professional Staff members (excluding librarians) are eligible to participate in this program.

8.12.3 CRITERIA

See Appendix IV, Section 17.1.

8.12.4 ADMINISTRATIVE EXPERIENCE OPPORTUNITIES

Opportunities for administrative experience may be available in the Offices of the President, Provost, Vice President for Administration and Finance, Vice President for Student Development and Campus Life, the Vice President for Institutional Advancement, and/or the Vice President for Budget, Planning, and Information Technology.

8.12.5 TITLE OF PROFESSIONAL ASSISTANT

During participation in this program, the Professional Staff member will maintain all rights and privileges held prior to the time of the appointment as a professional assistant. The Professional Staff members selected for this program will carry the title "Professional Assistant."

8.12.6 RESPONSIBILITIES OF THE MENTORS

The Provost and/or Vice President will serve as Mentor to the Professional Assistant. Mentors will have the responsibility for structuring the duties and supervising the performance of the Professional Assistants.

8.12.7 TERM OF APPOINTMENT

The Professional Staff member selected as a Professional Assistant will serve full-time for a one-year period and may reapply the following year up to a maximum total of two years. No applicant will hold the position of Professional Assistant for more than two years consecutively. Division heads may choose to reappoint the Professional Assistant for the second year, but must so inform the PDPR Committee three months before the expiration of the first year of appointment. The Professional Assistant, under those circumstances, need not reapply.

Should a Professional Staff member elect to return to his or her position prior to the completion of the term of appointment, all rights and privileges associated with the regular position held at the time of appointment will be maintained and reserved.

8.12.8 COMPENSATION

The program is funded to partially compensate the area of origin for the loss of services of a selected Professional Staff member. The unit head of the office vacated by the Professional Assistant will have the option of hiring a temporary replacement or dividing the moneys among existing staff.

After the selection of the Professional Assistant, the affected unit director/department head must notify the Committee in writing within two weeks of which of the two methods of compensation has been selected. If no notification is received by the PDPR Committee within this time frame, the Committee will direct the disbursement of these moneys to existing unit staff in the area of origin losing the services of the Professional Staff member.

Staff agreeing to take on the duties of the absent colleague will not be required to take on duties outside the usual and regularly assigned duties of that colleague as a condition of receiving those moneys. Professional Staff member(s) agreeing to take on the duties of an absent colleague serving as a Professional Assistant must receive payment within 45 calendar days of the Professional Assistant's appointment.

8.12.9 ANNOUNCEMENTS AND ADVERTISING

Announcements of opportunities will be on a special form which will be mailed to all Professional Staff members and posted on campus for a minimum of two weeks. The form will list a description of the full-time duties, and indicate that the individual will work on assignment in the Offices of the Division Heads under their direct supervision.

8.12.10 APPLICATION PROCEDURES

Professional Staff wishing to apply will do so in writing on the appropriate form and submit it to the Professional Development Peer Review (PDPR) Committee. The application should include a current resume and a letter explaining the reasons for interest in acquiring administrative experience. Prior relevant educational and professional administrative experience should be included. If application is made to more than one division, the application should be relevant to that specific division.

The application must be signed by the unit head. This signature indicates the unit head's understanding of the program prior to the applicant's forwarding of a completed package to the PDPR Committee. The unit head must abide by the provisions of the contract.

8.12.11 SELECTION PROCEDURES

The Professional Development Peer Review Committee will a) receive all applications, b) evaluate and rank order the applications according to their merits and c) subsequently forward the recommended nominees to the Division Heads. The Division Heads will interview applicants and will make the final selection of the Professional Assistant(s).

8.12.12 EVALUATIONS

At the end of the year, the Professional Assistant will prepare a written evaluation of the work experience for submission to the Professional Development Peer Review Committee (PDPR) and Vice Presidents. At the option of the Professional Assistant, the supervisor may prepare a written evaluation of the Professional Assistant's performance using the same evaluation process employed for professional staff.

8.13 NON-LIMITED TITLES

Members of the bargaining unit who are not full-time teaching faculty and whose professional responsibilities require a variable work pattern, were formerly categorized by Civil Service regulations as serving in "NL" (non-limited) titles.

8.13.1 WORKLOADS

The University and the Union recognize that such employees should be assured reasonable workload assignments and appropriate compensatory time off when their variable work pattern results in time worked significantly beyond the ordinary work week. To that end the University and the Union agree that:

8.13.2 USUAL WORK WEEK

Past practice at Montclair State University ordinarily defines the usual work week of NL employees as thirty-five (35) hours distributed over no more than five (5) days. There are occasions when the time required to meet the usual work expectations of the position will extend beyond these usual hours and times.

8.13.3 WORK BEYOND USUAL HOURS

8.13.3.1 When the work requirement is significantly beyond the usual hours for a given position, the supervisor will inform the employee of the expectation.

8.13.3.2 Whenever possible, the supervisor will inform the employee ten (10) working days prior to the need for work beyond the ordinary work week.

8.13.3.3 Otherwise, the supervisor will inform the employee as soon as possible prior to the need for work beyond the ordinary work week.

8.13.3.4 When the work extends to any part of a day outside the usual work schedule for that position, the employee will be assured of a minimum of one-half day of such work.

8.13.4 ARRANGING COMPENSATORY TIME

8.13.4.1 Prior to working such time, the employee will arrange for compensatory time off for such work for the approval of the supervisor.

8.13.4.2 Such compensatory time off should approximate the number of hours worked but need not necessarily be an hour for hour compensation.

8.13.4.3 If the employee and his or her supervisor cannot agree informally on a plan for compensatory time off, the employee will present the supervisor with a written plan for compensatory time off.

8.13.4.4 The supervisor must provide an explanation in writing for any rejection of the employee's written plan for compensatory time off.

8.13.4.5 This written explanation must be provided within three (3) days of receipt of the employee's plan.

8.13.4.6 The employee may appeal a rejection of his or her plan to the next higher level supervisor and, if necessary, to the President or his or her designee.

8.13.5 TAKING COMPENSATORY TIME OFF

Compensatory time off must be taken within sixty (60) days after the unusual work time was expended unless otherwise agreed to by the employee and his or her immediate supervisor.

8.13.5.1 In the event that the sixty (60) day limit requires that compensatory time off be taken during a period when the office workload is heavy, such compensatory time off may be postponed to a period when the workload is lighter.

8.13.5.2 However, compensatory time off must be taken within one (1) year from the time the unusual work pattern occurred.

8.13.6 RATIFICATION

For current employees, the provisions of this agreement are effective immediately upon its ratification.

8.13.7 DISTRIBUTION OF AGREEMENT

A copy of this agreement will be provided to future NL employees at the time of their appointment.

9. CAREER DEVELOPMENT PROGRAM

9.1 PREAMBLE

In accordance with the *State Contract* and NJSA 18A:60-10, there will be implemented a Career Development Program for all members of the Professional Staff. The details of this Program are found in *Appendix II [pages 58-64]* of the *State Contract*. The assessment procedure described applies only to tenured personnel, (Faculty or Librarians). The assessment of Professional Staff members is done through multiple year contract renewal procedures. The material that follows is the local procedure required to implement the Career Development Program.

9.2 COMMITTEES REQUIRED TO IMPLEMENT THE PROGRAM

9.2.1 CAREER DEVELOPMENT COMMITTEE

9.2.1.1 Structure and Membership

9.2.1.1.1 Regular Membership

- a) One elected representative of the professional staff group.
- b) One elected representative from the librarian group.
- c) One elected faculty representative from each College/School.
- d) One representative of the Union/Association appointed ex officio without vote.
- e) One representative of the Administration appointed ex officio without vote.
- f) The chairperson of the previous year's Committee ex officio without vote. If the chairperson is unable to serve, the vice-chairperson of the previous year's Committee will serve.

9.2.1.1.2 Alternate Membership

There will be an alternate for each Committee member, selected in the same manner from the same constituency. In cases in which the regular member of the CDC has served on the Departmental Assessment Committee of an applicant, the alternate will serve in the regular member's place.

9.2.1.1.3 Exclusions

The following will be excluded from eligibility for the Committee:

- a) Faculty and Professional Staff being assessed;
- b) Members of any assessment committee;
- c) Non-tenured faculty and Professional Staff not on multi-year contracts;
- d) Any applicant not being assessed who makes application to the CDC.

9.2.1.2 Term of Office and Method of Election

9.2.1.2.1 Term of office is one year, from December 1 to November 30.

9.2.1.2.2 Elections will be administered by the Association/Union elections committee in coordination with the other College/School elections;

9.2.1.2.3 Elections must be completed before December 1. The election for the CDC must take place before the selection of the assessment committees.

9.2.1.2.4 Each member of the bargaining unit is eligible to vote for the CDC member representing his or her constituency.

9.2.1.2.5 The Committee will meet by December 15 to elect its chairperson, and prepare its call for proposals. The chairperson may not succeed himself/herself. The chairperson will assume office immediately and serve for one year or until succeeded. A vice-chair will also be elected. The chairperson will be responsible for all administrative details of the program, including but not limited to those contained herein, until his or her successor takes office.

9.2.1.3 Sequence of Committee Actions

9.2.1.3.1 Prior to the beginning of the second semester, the chairperson will call for proposals for career development funding for the first part of the next academic year and the summer preceding it. This includes Summer proposals, Fall proposals, and full-year proposals beginning in the Fall. The proposals must be returned by March 1 to the chairperson of the Committee. The forms for submission of proposals will be sent to each faculty member and eligible non-teaching professional.

9.2.1.3.2 The Committee will develop and use a systematic procedure for evaluating proposals and making its recommendations. Priority will be given to proposals supported by recommendations of the Departmental Assessment Committees.

9.2.1.3.3 The Committee will prepare a list of recommended projects from the proposals submitted for Summer, Fall and full-year funding. The list will be submitted to the President or her or his designee by April 15.

9.2.1.3.4 Administrative action on these recommendations will be completed by May 15 for projects scheduled for the coming Summer, and by May 15 or within 10 working days after the amount of the appropriation for this purpose is known by the University for Fall and full-year proposals.

9.2.1.3.5 The chairperson will, by May 15, call for proposals for funding in the Winter and Spring of the next academic year. These proposals should be submitted to the chairperson by October 1.

9.2.1.3.6 The Committee will prepare a list of recommended projects from the proposals submitted for Winter and Spring funding. This list will be submitted to the President or her or his designee' by November 1.

9.2.1.3.7 Administrative action on these proposals will be completed by December 1.

9.2.1.3.8 Projects which begin in June and continue into July will be considered as Spring projects if there is more time spent in June than in July, and as Summer projects otherwise.

9.2.2 ASSESSMENT COMMITTEES—FACULTY

9.2.2.1 Structure of Departmental Assessment Committees

9.2.2.1.1 The committee charged with the assessment process must consist of three tenured faculty members, all of whom must occupy regular faculty lines.

9.2.2.1.2 The department must elect two members and two alternates to the Assessment Committee to serve for all career development assessments within the department. Two alternate members must be available to serve in the event that a regular member cannot serve. The election will take place at the December department meeting, beginning December 1983 for the following year.

9.2.2.1.3 The person being assessed will appoint one member of his or her Assessment Committee. This person may come from any academic department providing that, in the opinion of the assessee, the individual possesses the particular expertise needed to serve as an assessor in this area.

9.2.2.1.4 If the elected members of the Departmental Assessment Committee challenge the credentials of the selected member, they may appeal the right of that individual to serve on the Committee. This appeal will be to an ad hoc committee composed of the departmental PAC chairperson, the department chairperson and the dean of the College/School of the individual being assessed.

9.2.2.1.5 Neither department chairperson nor a PAC chairperson may serve in the appeal process if either is an interested party in the dispute.

9.2.2.1.6 Department chairpersons or PAC chairpersons may not be elected as members or alternates of assessment committees, but they may serve as selected members.

9.2.2.1.7 The following will be excluded from eligibility for membership on the Assessment Committee:

- a) Faculty and Professional Staff being assessed;
- b) Non-tenured faculty members and Professional Staff not on multiple year contracts;
- c) Any applicant not being assessed who makes application to the Assessment Committee or the CDC for career development funding.

9.2.2.2 Term of Office

The Departmental Assessment Committee serves for one year.

9.2.3 ASSESSMENT COMMITTEES—LIBRARY

Procedures for this group are still in negotiations at the local level and will be submitted to the unit for approval when they are completed.

9.2.4 PROFESSIONAL STAFF ASSESSMENT COMMITTEE (PSAC)

9.2.4.1 Composition

The Professional Staff Assessment Committee will be composed as follows:

9.2.4.1.1 Three Professional Staff members in the negotiation unit with at least three years of service and not eligible for a multi-year reappointment during their term of service on the Committee.

9.2.4.1.2 One Union observer and one observer for the administration (non-voting).

9.2.4.2 Readers

There will be two (2) Readers, in or out of the unit, selected by the Professional Staff member being assessed on the basis of relevant expertise. The Readers will provide the PSAC with their views on appropriate developmental activities.

9.2.4.3 Term

Elected Professional Staff members will serve for a one year term. No elected person may serve for more than three (3) consecutive years. To provide continuity, the Committee will, in years in which no member is reelected, elect one member to serve one additional year without vote.

9.2.4.4 Election

The President's designee will, with the assistance of one person designated by the Union, solicit names for the Committee and conduct a mail ballot election by the date specified in the Administrative Calendar. Unit Professional Staff members are eligible to vote in this election.

9.2.4.5 Procedures

The procedures followed will be those described in *The State Contract, Appendix II, Article II Professional Staff Assessment Committee [page 60]*, with the following addition to *Section C*:

When the President sends a written report describing developmental needs to the PSAC, a copy of this report must be sent to the Professional Staff member

9.3 LOCAL ASSESSMENT PROCEDURES

[State Contract Appendix II: Career Development Program for all Full-Time Employees, page 58]

PREAMBLE

This process is intended to enhance the natural dedication of individual faculty members and librarians to pursue a vigorous program of continuing professional development subsequent to the probationary period at the College. It is structured to aid employees in the development of a positive program of professional growth and career development. So that faculty, librarians and professional staff are fully cognizant of the immediate and longer range institutional, school and department goals and areas of high programmatic need and growth potential, the administration of each College will make these known.

Every five years, the individual tenured faculty member/librarian shall engage in an in-depth self-study to determine the manner in which he/she may best advance his/her own professional growth. Participation in this program will not only yield great personal reward but will also serve to satisfy the requirements of N.J.S.A. 18A:60-10. Additionally, participation will secure priority access to funds negotiated for this purpose, as well as any other institutional funds which may be made available. It is further recognized by the parties that a program of genuine career development for the improvement of instruction should be positive in nature and is best achieved in an atmosphere of trust and cooperation.

The career development program is not intended to constitute a replacement of or waiver of rights of any individual accruing under Title 18A of the Revised New Jersey Statutes. No personnel actions involving punitive procedures shall be based on or in any way use the results for the evaluations for the career development program. The employer shall not be prevented from following up leads developed in the career development evaluation process.

The following shall constitute the criteria in priority order for determining the allocation of career development funds:

- 1. Employees who were assessed and found to have identified areas for improvement.*
- 2. Applications which are consistent with the expressed direction/mission and needs of the College and/or to improve instruction.*
- 3. Other criteria as determined by each College.*

9.3.1 SELF-ASSESSMENT STATEMENT

9.3.1.1 The dean must notify by no later than the October Department Meeting those persons who will be assessed in the current academic year.

9.3.1.2 The person being assessed will provide a self-assessment statement to the Assessment Committee and simultaneously to the department chairperson and the dean by February 8. The Committee will have a conference with the person being assessed to discuss the material included in the self-assessment, make a decision on the need for any additional information and discuss the nature of the final recommendation and report. The assessee will not be required to change the self-assessment statement as a result of either meeting. If changes result in the self-assessment statement from either conference, both the Assessment Committee and the dean will receive an identical revised statement. The dean will have a conference with the assessee only if the dean proposes changes in the assessment.

9.3.1.3 Self-Assessment

The self-assessment will include:

9.3.1.3.1 An enumeration of the strengths and career development needs of the person being assessed.

9.3.1.3.2 Additional statements regarding the following areas:

Teaching, including the following two subtopics:

- a) Professional Expertise (Content and Currency)
- b) Pedagogical Approach (for example, organization and presentation of material; teacher/student interaction, etc.)

Scholarship of Pedagogy

Scholarship of Discovery, Integration, or Aesthetic Creation

Scholarship of Application

9.3.2 IMPLEMENTATION OF THE PROCESS

9.3.2.1 Data on Teaching Effectiveness

Indications of teaching effectiveness must be provided by the assessee. These must include the results of student questionnaires. The student questionnaires must be developed, administered, collected and tabulated in accordance with the local procedures outlined in the General Guidelines for Personnel Actions, Section 2.5, Provisions for Student Input Into Faculty Personnel Decisions, except that for assessment purposes, the questionnaires must have been collected within any semester in the three years preceding the assessment.

Indications of teaching effectiveness may also include current or previous peer evaluations, course materials or syllabi, videotapes, or any other materials that the assessee might wish to submit. These additional materials are considered to be supplementary to the self-assessment statement and are not to be forwarded with the Assessment Committee's report unless this is requested by the person being assessed.

9.3.2.2 Need for Additional Information

If the Assessment Committee is not able to make a recommendation because of insufficient information regarding the teaching effectiveness submitted by the assessee, then the Assessment Committee will request additional information in the area(s) of concern; if sufficient information is still not provided, then one selected and one elected committee member will observe the assessee in the classroom prior to preparing the initial draft of the recommendation.

9.3.3 PREPARATION OF THE ASSESSMENT REPORT

The Assessment Committee is expected to meet with the individual involved and prepare a final report as required by the State Contract. This report will be submitted to the individual, the department chairperson, dean and the President or her or his designee by February 22. The individual may submit a written response to the report to the President due by March 1.

9.3.4 RESPONSE TIME

The Assessment Committee must abide by the time of notification provision of the protection clause as stated in the General Guideline for Personnel Actions, Section 2.3 Protection Clause, of the Selected Procedures Agreement.

Simultaneous observation by more than one member of the Assessment Committee must be approved by the person being assessed.

9.3.5 PROTECTION CLAUSE

In the event a person being assessed objects to a regular member on the Committee, that person will be allowed to choose from the elected alternates.

9.3.6 APPEAL PROCEDURE

If the assessee objects to classroom observations, this can be appealed to an ad hoc committee composed of the department chairperson, department PAC chairperson, and the dean of the College/School involved.

9.3.7 ASSESSMENT OF FACULTY TEACHING IN TWO DEPARTMENTS

9.3.7.1 If a person has an unequal teaching load between two departments, the assessment will be done in the department where the person has the major teaching responsibility.

In such cases, the dean of the College/School in which the individual has major teaching responsibility will participate in the assessment process.

9.3.7.2 A faculty member in an evenly split load situation will select one of the two elected assessors from each of the two departments involved in the split load, in addition to the third member of the committee who may be selected at large.

9.3.7.3 To be considered under the evenly split load provision, a faculty member must have had a split load for the last three semesters immediately preceding the evaluation.

9.3.7.4 A faculty member with a load evenly split between two Colleges/Schools will select the dean of one of the Colleges/Schools to participate in the assessment process.

9.3.8 DEAN'S ROLE AS PRESIDENT'S DESIGNEE

[State Contract Appendix II, Article III, pages 60-61]

Should the President/designee disagree with any aspect of the AC's report and recommendations, he or she shall confer with the individual and the AC. The President/designee shall then prepare a written statement setting forth the relevant areas of disagreement and the specific grounds therefor. If there are no disagreements, the President/designee shall so state. The President/designee need not respond to any recommended career development program at this point in the process.

9.3.9 ASSESSMENT OF FACULTY ON LEAVE

If a person who is to be assessed is on sabbatical leave or other approved leave from the University, the individual will be assessed when he or she returns to regular service and will be included with the next group scheduled to participate in the process.

10. DEPARTMENT CHAIRPERSONS

[State Contract, Article XVIII, page 28]

10.1 METHOD OF ELECTION AND APPOINTMENT

[State Contract Article XVIII.A]

Department chairpersons shall be elected by the members of the department and appointed by the President and shall serve for a term of three (3) academic years.

[State Contract Article XVIII.B]

In the event that the President rejects an elected individual, the President or his/her designee must deliver his/her reasons, either formally in writing or informally in person, to the department at a meeting called for that purpose. The department will then hold another election as soon as practicable.

[State Contract Article XVIII.D]

Terms of office begin on July 1. Elections occur in the spring of the preceding academic year and shall normally be completed by April 30.

10.2 DEVELOPMENT OF CRITERIA FOR SELECTION

[State Contract Article XVIII.A]

Prior to the initiation of this process, the President or his/her designee shall meet with a committee of the department to address concerns, if any, regarding the departmental procedures, and to consult concerning the criteria for selection. In the event individuals from outside the department are to be nominated, the Faculty Committee and all voting members of the department shall be provided with comprehensive, relevant information regarding those candidates' qualifications.

10.3 COMPOSITION OF SEARCH COMMITTEE

[State Contract Article XVIII.C]

The Faculty Committee referred to above shall consist of five (5) members of the involved department elected by the membership of the department, unless the involved department consists of five (5) or fewer members, in which case the Faculty Committee shall consist of all the members of the involved department.

10.4 ACTING DEPARTMENT CHAIRPERSONS

[State Contract Article XVIII.E]

Nothing contained herein shall be construed to limit the right of a President to appoint an acting department chairperson pending the completion of the procedures set forth.

10.5 LOCAL ELECTION PROCEDURES

The Association/Union and the administration promulgated guidelines for the election of department chairpersons as of February 1977. These guidelines must be followed in keeping with EO/AA regulations.

Each year, a representative of the administration and the Association/Union will meet with representatives of the PACs of those departments where the chairperson's term is about to expire, to distribute the EO/AA guidelines and to discuss the implementation of the procedure.

10.6 ELECTION DATE

10.6.1 By mutual agreement between the College administration and the faculty Association/Union, the election of a department chairperson will take place no later than April 30 of the final year of the incumbent's term of office. The name of the elected chairperson will be transmitted to the University Administration.

10.6.2 When a department chairperson vacancy occurs for reasons other than the expiration of an incumbent's term, the dean, in consultation with the department and Vice President for Academic Affairs, will determine when to hold the election for a department chairperson to fill out the academic year. Before the close of the academic year, a regular election will be held to fill the three-year term in accordance with established procedures.

10.7 MIDTERM EVALUATION OF DEPARTMENT CHAIRPERSONS

10.7.1 At the midpoint of the department chairperson's term, the department PAC chairperson will be notified by the College/School dean that the evaluation of the chairperson is due.

10.7.2 The PAC chairperson will initiate a formal departmental faculty vote of confidence to serve as this evaluation. Should a positive vote of confidence occur, the department will recommend to the dean that the chairperson will complete his or her term of office.

10.7.3 If a majority vote indicates a desire for change in leadership, the department faculty will submit to the dean, with a copy to the chair, information establishing just and sufficient cause for this action. Within two weeks, the chairperson will meet with the faculty and the dean regarding the no-confidence vote to present his or her response.

10.7.4 Following this step, the dean will consult again with the faculty to make a final assessment of the chairperson's status.

10.7.5 The dean, having made a determination based upon all available information, will make a recommendation to the VPAA and President as to whether or not the chairperson should complete his or her term of office.

10.7.6 When the dean's recommendation differs from the Departmental recommendation, he or she must inform the faculty in the department and the chairperson of the reasons for this recommendation. The process should be initiated by December 1 and completed by March 1 of the same academic year.

10.8 DEPUTY DEPARTMENT CHAIRPERSON

In departments where a deputy chairperson position exists the position must be filled by election by the departmental faculty.

11. FACULTY RIGHTS, PRIVILEGES AND RESPONSIBILITIES

11.1 OFFICE HOURS FOR STUDENT CONSULTATION

Faculty members will post and maintain three (3) scheduled office hours per week at different hours and on each day corresponding to the faculty member's teaching schedule. The number of days on which office hours are maintained need not exceed three (3). Faculty members will inform students of these hours and of their availability by appointment at other reasonable times.

11.2 COMMUNITY ACTIVITIES

Faculty involvement in both community and professional affairs is recognized as desirable for the University community. Faculty will determine the nature of their participation in community affairs.

11.3 FACULTY TRAVEL PROVISIONS

11.3.1 Each department should be provided with funds for attendance of faculty members at professional meetings.

11.3.2 Utilization and distribution of moneys budgeted to a department to cover expenses for attendance at professional meetings will be approved by a departmental committee appointed for that purpose.

11.3.3 These moneys will be approved by a dean or his or her designee and be consistent with the regulations of the State, the department and the University.

11.4 ORGANIZATIONAL CHART

On September 1 and February 1 of each year, the University will publish and disseminate to all members of the bargaining unit, a complete and updated organizational chart.

11.5 PUBLIC NOTICES

The administration will give priority to communication to the negotiation agent with regard to all public notices or press releases concerning policies of the University.

11.6 INTERNAL GOVERNANCE

Recommendations of a College/School Senate or of any governing body which are implemented by the administration and Trustees may not violate the terms of this Agreement or the *State Contract*.

11.7 PARKING

Adequate free parking will be provided for Montclair State University faculty. Adequacy will be determined jointly by the administration and the Association/Union.

11.8 FACULTY AFFILIATION—VOTING RIGHTS

11.8.1 Voting for department chairpersons is limited to full-time faculty members of the University who teach in the department.

11.8.2 Persons on sabbatical leave or leave of absence are eligible to vote, as are their full-time replacements.

11.8.3 A full-time faculty member may have a teaching assignment in more than one department and/or College/School. If these assignments are on a continuing basis and if the individual is subject to reappointment, tenure, or promotion actions in the department(s) in which he or she is teaching, he or she has the same rights and privileges in the department as a person teaching full-time in the department.

11.8.4 If the split assignment is in one College/School, the faculty member will have only one vote in any College/School-wide action. When the split is in more than one College/School, the faculty member will have a vote in each College/School-wide action.

11.9 SALARY RATE NOTIFICATION

Along with the first paycheck of each year, the University will provide to each employee covered by this contract notice of that employee's annual salary rate, guide step and anniversary date for that year to the extent this information is known.

11.10 EXIT PROCEDURE

Faculty members who are terminating employment with the University must clear the following items and present a signed check sheet to the Personnel/Payroll Office. Listed will be receipt for return of:

1. All library books to the library;
2. Any University equipment to the department or area involved (such as media center, etc.);
3. Parking key card;
4. University keys.

Arrangements must be made to submit all grades, with provision for making up any INCOMPLETE or change of grade, and for securing departmental agreement for plans to vacate office. Failure to observe all of the above may result in disciplinary action which might be up to the loss of a day's pay.

11.11 SUMMER SESSION COURSE CANCELLATION NOTIFICATION

(Text of this provision to be decided)

11.12 DEPARTMENTAL PROCEDURES AND POLICIES

11.12.1 Department bylaws will be developed and approved by the department faculty, submitted to the Overview Committee for its review and, if approved, distributed to all members of the department.

11.12.2 Faculty must be provided with written departmental personnel procedures. If departmental procedures are revised, they must be disseminated to all department members before going into effect.

11.12.3 Faculty must be notified of pending changes in departmental policies and procedures at least one week prior to the department meeting at which such changes are to be voted upon by the department.

11.12.4 Minutes of department meetings will be taken and made available to the faculty of the department.

11.12.5 Faculty on sabbatical leave or leave of absence must be informed of the availability of released time opportunities, career development programs, grants, etc. at the same time as the communication goes to the faculty on campus.

Compliance with Section 11.12.1 through Section 11.12.5 above will be the responsibility of the department chairperson.

11.13 DEFINITION OF SENIORITY

The following concepts will be considered when defining seniority for personnel action purposes:

1. All service in regular (not adjunct) faculty line, whether it be a full or part-time assignment, will count.
2. Service as a substitute for a person on LOA or sabbatical leave must be counted, if the substitute was employed in a regular faculty line.
3. Leave of absence without pay does not count for seniority as it applies to tenure criteria.
4. Sabbatical or medical leave would count for seniority purposes.

11.14 ASSIGNMENT OF NON TEACHING DUTIES

For regulations regarding administrative released time, see the current *State Agreement, Article XII.B.7 page 17*.

11.15 EXTENSIONS OF LEAVES OF ABSENCE WITHOUT PAY

It is understood that a faculty member on LOA without pay will return to service at the termination of the leave, unless he or she has applied for an extension of that leave prior to November 1 in the Fall semester, and April 1 during the Spring term. Such extensions must be consistent with the provisions for leave limitations in the *State Contract, Article XXVI.B [pages 42-43]*.

11.16 OFFICIAL FILES

The official files for personnel actions are those maintained in the Office of the Vice President for Academic Affairs.

11.17 SAFE CONDITIONS

Article XXX of the State Contract [page 48] includes the following provisions:

Whenever an employee observes a condition which he or she feels represents a violation of safety or health rules and regulations or which is an unreasonable hazard to persons or property, the employee shall report such observation which will be promptly investigated.

Where a hazard exists which endangers the employee, he or she shall not be required to work where that condition exists.

11.18 FACILITIES COMMITTEE

The *State Contract* contains the following *Letter of Agreement*:

LETTER OF AGREEMENT II [page 88]

The parties recognize that adequate work surroundings, equipment and support personnel are necessary to the fulfillment of the goals of the Colleges. Toward this end it is agreed that each College and each Local UNION shall establish a committee to examine such questions as office space, office equipment, telephones, lounges, classroom equipment, secretarial assistance and maintenance of facilities. The committee shall report its recommendation to the President. The composition of the committee will include an equal number of employees appointed by the Local UNION and administrative representatives appointed by the College President. The College and the Local UNION may agree to appoint additional persons from the College community to the Committee.

The President or his or her designee(s) shall meet with the local UNION to discuss the recommendations of the committee, prior to formally indicating his or her reaction to the recommendations.

11.19 JOINT APPOINTMENTS

11.19.1 OCCASIONAL JOINT APPOINTMENTS

The University may make occasional joint appointments in accordance with the *State Contract* and the Local Selected Procedures Agreement. The following guidelines for joint appointments will be in effect for the 1995-1999 academic years. In the last year, the Union and the Administration will review and consider modifying the guidelines.

11.19.2 GOVERNANCE OF MASTER CONTRACT AND LSPA

No provision of this agreement may be construed as contrary to either the Local Selected Procedures Agreement or the *State Contract*. Where differences appear, the LSPA and *State Contract* will govern.

11.19.3 ELIGIBILITY FOR JOINT APPOINTMENTS

Faculty eligible for joint appointments are those who can teach, do research, and/or seek, secure, and administer grants in two academic units.

11.19.4 TEACHING LOAD

Joint appointments mean that the faculty member's teaching load and other load time, or other programmatic involvements are distributed across two departments or one department and a non-departmental unit. The two units need not be in the same College/School.

11.19.5 HOME AND PARTICIPATING ACADEMIC UNITS

The term department specifies a traditional academic department located in a College or School of the University which recommends the hiring of faculty and recommends their reappointment, tenure and promotion. Home departments must be academic departments. A participating unit may be an academic department or a center, institute, or other academic component established and recognized by the University as responsible for teaching and/or the coordination of an academic program in more than one department.

11.19.6 IDENTIFYING DEPARTMENTS AND NON-DEPARTMENTAL UNITS

The Provost will identify departments and non-departmental units which can serve as sites for joint appointments. Before faculty can seek a joint appointment, bargaining unit members involved in a potential home department or participating unit, must prepare and approve procedures by which any required input for faculty holding joint appointments will be collected and shared by the participating unit and used by the home department. Such procedures must be approved by the Overview Committee prior to any joint appointment.

11.19.7 CREDENTIALS FOR JOINT APPOINTMENTS

11.19.7.1 Terminal degrees in the two fields located in the two units making the joint appointment,

— OR —

11.19.7.2 Demonstrated expertise in two or more academic fields sufficient to justify the joint appointment in both units involved.

11.19.8 STRUCTURE AND PROCEDURES FOR JOINT APPOINTMENTS

11.19.8.1 All joint appointments combine a home department and a participating unit.

11.19.8.2 A joint appointment implies a teaching load with a maximum of 75% and a minimum of 50% in the home department; or a maximum of 50% and a minimum of 25% in the participating unit, or involvement in a program in the participating unit consisting of the direction of student research, advisement, program development or other similar involvement deemed by both units to be adequate for a joint appointment.

11.19.8.3 Faculty joint appointments in units other than departments must be based on academic and not administrative work. For example, a director could not be said to hold a joint appointment in a unit simply by virtue of the directorship, but must be engaged in academic work within the unit as well.

11.19.9 HOME DEPARTMENT

The joint appointee will be considered a member of the home department for purposes of faculty rank, status, seniority, workload, and eligibility for sabbaticals and other leaves. Faculty may seek and secure FSIP projects only through the home department.

11.19.10 FSIP CREDIT HOURS

FSIP credit hours will be allocated in proportion to the joint appointee's load distribution across the home department and participating unit. Fractions of credit hours will be adjusted by using more than one semester to average out the distribution where necessary.

11.19.11 VOTING AND PARTICIPATORY RIGHTS

When both are academic departments, the joint appointee will participate and have voting rights in governance of the home department only.

11.19.11.1 The joint appointee will participate in personnel actions in the home department only.

11.19.11.2 A joint appointee may, however, participate and vote on curriculum and other non-personnel matters in both the home department and participating unit.

11.19.12 WORKLOAD

Joint appointees are not expected to meet higher standards than faculty not holding joint appointments or to do greater amounts of committee work or other departmental/unit assignments.

11.19.12.1 The chair of the home department and chair or director of the participating unit must ensure that joint appointees do not receive double committee loads.

11.19.13 DEPARTMENTAL RESPONSIBILITIES

The home department is responsible for providing office space, photocopying, travel allotments, and all other necessary working conditions to the joint appointee that are normally associated with department membership.

11.19.13.1 By mutual consent, the home department and participating unit may share office space and supply allocations to the joint appointee.

11.19.13.2 The home department chairperson is responsible for preparing the schedule of the joint appointee in consultation with the chair or director of the participating unit.

11.19.14 PROCESSING OF PERSONNEL ACTIONS

The home department is responsible for processing all personnel decisions regarding the joint appointee.

11.19.14.1 These personnel actions include reappointment, tenure, promotion and any other personnel actions involving the joint appointee.

11.19.14.2 All observations, evaluations, and personnel actions involving joint appointees must be in accordance with the State Contract and this Local Selected Procedures Agreement. Peers providing formal, required input must be members of the bargaining unit.

11.19.14.3 Where a joint appointment is held in a unit other than a department, personnel evaluations will be carried out only by tenured faculty holding academic appointments in that unit.

11.19.14.4 If no other tenured faculty are available within the participating unit to provide evaluative input to the home department, the participating unit must turn to faculty with comparable credentials to play that role, with Overview Committee approval as is the case when departments have too few eligible members to carry out evaluation functions.

11.19.15 INPUT OF PARTICIPATING UNIT

The participating unit provides input to the home department PAC. The home department weighs this input in proportion to the time devoted to each unit in the years considered for any personnel action.

11.19.15.1 When teaching occurs in both the home department and the participating unit, observations of teaching must be conducted by both in accordance with this Local Selected Procedures Agreement and the *State Contract*.

11.19.15.2 The home department is responsible for receiving the evaluation materials from the participating unit and for making all recommendations for personnel actions.

11.19.16 SETTLEMENT OF COMPLAINTS

Considering the complex challenges presented by a joint appointment, the associated deans and chairpersons should make their best efforts to encourage prompt settlement of complaints or grievances that may arise between the home department and participating unit, especially in such matters as personnel actions, scheduling and support services.

11.19.17 CURRENT FACULTY MEMBERS

11.19.17.1 Current faculty members may apply for a joint appointment if they believe they meet the eligibility requirements and desire to participate in both units.

11.19.17.2 Joint appointments will be made upon the application of the faculty member, and with the approval of the chair(s), dean(s), director and other University administrators.

11.19.17.3 The regulations above regarding personnel decisions and all other decisions for joint appointees take effect in the semester in which the joint appointment begins.

11.19.17.4 Both the home department and the participating unit will make every effort to ensure their mutual support for the joint appointment.

11.19.18 NEW APPOINTMENTS

When the Provost determines that a new search may yield a joint appointment, and with the consent and approval of the chair(s), dean(s), director, and other university administrators involved, the search committee will consist of members of the two units in proportion to the on-load time devoted to each unit. In cases where other than an academic department is involved, there will be one representative to the search committee from the participating unit.

11.19.18.1 Joint appointment searches must follow all contractual and University Affirmative Action procedures and guidelines.

11.19.18.2 At the time an offer of a joint appointment is made, the University must inform the candidate of all policies regarding joint appointments and must give the candidate a copy of this agreement.

11.19.18.3 The joint appointee will be informed in writing that the home department will be responsible for all matters related to his or her employment.

11.19.18.4 If both units are academic departments:

11.19.18.4.1 At the time of appointment, the new joint appointee must designate one of the units as the home department and the other as the participating unit, except:

11.19.18.4.2 If one department has more than 50% of the teaching load for the first year, that department automatically becomes the home department.

11.19.18.5 In the event of a shift in the teaching responsibilities of the joint appointee, he or she may choose once during the first two years of the appointment to reverse the designations of home and participating departments, provided the new proposed home department approves.

11.19.18.6 The tenure decision will be made by the home department PAC with input from the participating unit in proportion to the on-load time devoted to each unit.

11.19.19 FACULTY RIGHTS IF JOINT APPOINTMENT IS TERMINATED—CURRENT FACULTY AND NEW APPOINTMENTS

If a programmatic change should eliminate the need for the joint appointment, or the need for the academic specialty of the joint appointee, the faculty member involved retains a full appointment in the home department.

11.19.20 CONFLICT ON REAPPOINTMENT OR TENURE

In case of a conflict on reappointment or tenure, the home department will make the final decision.

11.19.20.1 If the participating unit decides against reappointment, the home department's positive recommendation constitutes an offer of full appointment in the home department.

11.19.20.2 A positive evaluation by the participating unit constitutes input to the home department PAC and chair.

11.19.20.3 If a participating unit offers a positive evaluation, but the home department PAC votes against reappointment or tenure, a single, negative recommendation goes from the PAC to the home department chair. The participating unit's evaluation, however, remains a part of the joint appointee's personnel file.

11.19.21 TERMINATION OF A JOINT APPOINTMENT

Termination of a joint appointment may be initiated by the faculty member, the PACs or chairs of the home department or participating units involved in the appointment or the dean(s) of the School(s) or College(s). If there is no agreement among the aforesaid to terminate the joint appointment, the President or his or her designee will make the final determination. When joint appointments are terminated through this procedure, the joint appointee retains full rights in the home department.

12. SAVINGS CLAUSE

If any provision of this Agreement or any application of this Agreement to any employee or group of employees is held to be contrary to law or the current *Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO* or not subject to collective negotiations, or has the effect of making the University ineligible for Federal funds, then such provision or application will not be deemed valid and subsisting, except to the extent permitted by law, but all other provisions or applications will continue in full force and effect. In the event of the above circumstances, then either party will have the right immediately to reopen negotiations with respect to a substitute for the affected provision to the extent permitted by law.

13. MAINTENANCE OF AGREEMENT

During the term of this Agreement neither party will be required to negotiate with respect to any matter except that proposed new rules or modification of existing rules governing working conditions will be presented to the Union and negotiated upon the request of the Union as may be required pursuant to the New Jersey Public Employer-Employee Relations Act, as amended.

Nothing in this Agreement will preclude the Administration and Union from mutually agreeing to amend or modify any of the provisions of this Agreement. In the event the Administration and Union negotiate a mutually acceptable amendment or modification of this agreement, the amendment or modification will be put in writing and become a part of this Agreement upon ratification by both parties.

14. APPENDIX I: QUALIFICATION FOR RANK AND EQUIVALENCIES

14.1 QUALIFICATION FOR RANK: FACULTY

[State Contract Appendix IV, pages 65-68, citing New Jersey Administrative Code N. J. A. C. 9A:6-5.2, Qualifications for Rank. The Commission on Higher Education by resolution of May 25, 1995, allowed these sections of the Code to lapse at the state level, but they were adopted as Personnel Policies of Montclair State University by a Resolution of the MSU Board of Trustees in Public Session on June 7, 1995. The MSU Board action is titled "Feasible Transfer of Responsibilities under NJAC9:6 and 6A," and is registered as Board Action Number 2099.]

The academic attainment level and professional experience requirements for college faculty academic rank are set forth below. Conditions concerning promotion or appointment to such rank are defined in N.J.A.C. 9A:6-5.3 (Criteria for Promotions):

14.1.1 Instructor

An earned master's degree or its equivalent from an academic institution in an appropriate field of study, and enrollment in and actively pursuing an accredited terminal degree program in an appropriate field of study.

14.1.2 Assistant Professor

An earned doctorate or other appropriate terminal degree or its equivalent from an accredited institution in an appropriate field of study or completion of all requirements for the doctorate in an accredited institution except the dissertation.

14.1.3 Associate Professor

An earned doctorate or other appropriate terminal degree from an accredited institution in an appropriate field of study and five (5) years of professional experience.

14.1.4 Professor

An earned doctorate or other appropriate terminal degree from an accredited institution in an appropriate field of study and eight (8) years of professional experience.

14.1.5 Distinguished Professor

As established by the Board of Trustees of each College, this rank is intended to provide for the individual who has demonstrated outstanding scholarship, teaching ability, or distinction in a field.

14.1.6 Equivalency

The State Colleges recognize that on rare occasions individuals may present qualification as to education and experience that their peers will recommend to the board of trustees be the equivalent of the above qualifications although not corresponding to them to the letter.

14.2 LOCAL PROVISIONS FOR ESTABLISHMENT OF EQUIVALENCIES

14.2.1 The faculty member requesting the equivalency evaluation presents credentials to the Departmental Personnel Advisory Committee (PAC). The PAC may be augmented, at the request of the faculty member, by not more than two of the experienced faculty members of the department who are highly qualified in the field or discipline of the faculty member seeking the equivalency. The PAC reviews the credentials and submits a recommendation regarding the candidate to the department chairperson. This recommendation is forwarded to the VPAA by the department chairperson.

14.2.2 The department chairperson makes his or her recommendation on the equivalency and forwards the application to the VPAA.

14.2.3 The recommendations are forwarded to the President, who makes a decision to either act on the equivalency from the recommendations given, or seek additional expert advice in the area.

14.2.4 However, if outside expertise is deemed necessary to determine equivalency either by the faculty or the administration, then the outside expert(s) must be mutually acceptable and within the discipline being considered. In such cases where equivalency is determined by departmental peers and/or by outside expert(s), the candidate then becomes eligible for promotion through regular procedures.

14.2.5 The outside expert is provided with a package which consists of credentials supplied by the candidate, and the official description of qualifications for the rank the person seeks, which is provided by the administration.

14.2.6 The expert is asked to make a recommendation to the University President. Following the receipt of the opinion of the outside expert, the President makes a decision regarding granting of the equivalency and provides the candidate with a written statement of her or his decision.

14.3 GRANDFATHER CLAUSES FOR DEGREE REQUIREMENTS

14.3.1 Associate Professor: the requirement of an earned doctorate or other appropriate terminal degree or its equivalent for promotion to the rank of Associate Professor will not apply to faculty members employed by the Colleges prior to September 1, 1968.

14.3.1.1 The requirements will be those stated in the Personnel Policies Guide of 1963, which states:

Associate Professor: A Master's degree and two further years of approved graduate study in the field of the faculty member's major assignment or the completion of all requirements for the doctorate except the dissertation and a minimum of six (6) years' successful professional experience.

14.3.1.2 [State Contract Appendix IV, page 66, citing N.J.A.C. 9A:6-5.3.5 (b), adopted by MSU Board of Trustees, June 7, 1995, Action Number 2099, Feasible Transfer of Responsibilities Under NJAC9:6 and 6A]

The requirement of an earned doctorate or other appropriate terminal degree or its equivalent for promotion to the rank of Assistant Professor shall not apply to faculty members employed in the Colleges prior to February 22, 1974.

Assistant Professor: An earned Master's degree in the appropriate field of study plus the satisfactory completion of one year of graduate study as defined by the accredited institution in which such graduate study was undertaken toward a higher degree or specialization diploma in the appropriate field of study, or the completion of all requirements for the doctorate except the dissertation.

14.3.1.3 Promotion Priority: The above in no way implies that such affected faculty members will be promoted or reappointed automatically, nor does it place them at the top of any eligibility listing.

14.3.1.4 Eligibility for Tenure Appointment: Faculty members who do not possess an appropriate terminal degree or its equivalent may be offered a reappointment conferring tenure under unusual circumstances when judged by the University's Board of Trustees as being in the best interests of the University.

14.4 QUALIFICATIONS FOR RANK—LIBRARIANS

These data have not been reprinted here. Refer to the *State Contract Appendix IV, pages 66-67 and MSU Board of Trustees Resolution of June 7, 1995, Number 2099, Feasible Transfer of Responsibilities Under NJAC9:6 and 6A.*

14.5 CALENDAR FOR EQUIVALENCY APPLICATIONS

Eligibility for promotion under the equivalency or grandfather clauses should be established prior to consideration of promotion materials at the department level. Candidates who by November 1 have not been certified by the President as eligible through equivalence, or whom the Vice President for Academic Affairs has not certified as eligible via the grandfather clause, will not be considered in the promotion cycle initiated on that date. Individuals who seek to establish equivalency must submit their credentials to the DPAC and notify the VPAA on or before the 15th of March prior to the November 1 deadline. Candidates invoking a grandfather clause must so inform the VPAA on or before the 15th of March prior to the November 1 deadline. It is the intent of the Administration to resolve those requests submitted in a timely fashion by the November 1 deadline although circumstances beyond the control of the Administration could delay decisions.

15. APPENDIX II: CRITERIA AND DOCUMENTATION FOR REAPPOINTMENT, TENURE AND PROMOTION

Candidates for reappointment or promotion are responsible for providing evidence regarding the quality of their work in each of the 4 categories listed below. For at least one of the scholarship categories (15.2, 15.3 or 15.4), candidates must provide evidence of work which, following external peer review, has been selected for dissemination through normally accepted venues for academic products such as publications, conference presentations, exhibitions or performances or other equivalent forms of professional accomplishment. The significance of the accomplishments will be judged rigorously, with disciplinary standards determining the appropriateness of the venues. The following criteria¹ will be used to evaluate the quality of the work:

- Clarity of goals
- Adequacy of preparation
- Appropriateness of methods
- Significance of results
- Effectiveness of presentation
- Evidence of reflective critique

The promise for future productivity will be considered for reappointment, tenure, or promotion.

Aspirants to higher rank are expected, as they present themselves as candidates for that rank, to have demonstrated progressively more advanced levels of professional maturity, accomplishment, and recognition extending beyond the boundaries of the university. The difference between successive ranks is primarily one of achievement. Accomplishments while in rank at other institutions can be considered if they satisfy the promotion criteria at Montclair State University. At the same time, performance in all areas while at Montclair State carries the most weight. Holders of higher rank are expected to demonstrate advanced levels of accomplishment and recognition beyond the boundaries of the university as they are considered for reappointment and tenure.

Faculty must identify their current FSIP category and provide evidence of the products produced as a result of their participation in FSIP. Faculty who have prior participation in categories different from their current category shall include the categories and product results in their documentation.

Paid activities should be noted.

15.1 Teaching

The category requires evidence of quality in teaching, which includes classroom, laboratory and studio instruction, as well as independent study, supervision of interns/co-op students/ student teachers/student research, clinical supervision and advisement.

All faculty are expected to be more than just “good” teachers, and excellence in teaching is especially important for reappointment as or promotion to associate professor and professor.

Documentation must include a statement which communicates the candidate’s views about, and strengths in, teaching. Other evidence must include student course evaluations and peer

¹ Charles E. Glassic , Mary Taylor Huber, Gene I. Maeroff, *Scholarship Assessed: Evaluation of the Professoriate* (San Francisco: Jossey-Bass Publishers, 1997), p. 36.

classroom evaluations as required by the contract. Candidates may, and are encouraged to, include other materials, such as syllabi and exams, that indicate content and quality as well as additional student and peer classroom evaluations and samples of student work. Evidence of the range and type of courses taught, unique teaching style and techniques, use of technology to enhance teaching/learning, participation in teaching general education courses, and interdisciplinary teaching may also be included.

Effectiveness in other on-load non-teaching responsibilities, except FSIP (if applicable), should be included in this category and considered in proportion to time spent.

15.2. Scholarship of Pedagogy

The category requires evidence of the scholarly examination of teaching. Such evidence could include documentation of attendance at workshops (both on disciplinary knowledge and pedagogical innovation); engagement in curricular revision; the coordination of mentoring activities; engagement in a major personal examination of teaching (including attending a series of professional conferences or workshops on the subject and undertaking a study documenting the effects of changes); carrying out a major programmatic curricular revision; development of novel teaching methods; laboratory experiments or other pedagogical innovations; the acquisition of significant grant or contract funding; or writing about pedagogy.

15.3 Scholarship of Discovery, Integration, or Aesthetic Creation.

The category requires evidence of scholarship that adds to the field of knowledge in the discipline, makes connections among existing ideas within and across disciplines, or in the production of works of art in any medium including creative writing. Such evidence could include documentation of publications, presentations, significant grant or contract funding, performances, or exhibitions.

15.4 Scholarship of Application

The category requires evidence of scholarship that applies knowledge to issues of contemporary social concerns and that, in the process, yields new intellectual understanding, and could include work in design, the public schools, museums, social agencies, government or the like. Such evidence could include documentation of the service which generated position papers, reports, or other writings, and the evaluations of those who received the service; significant grant or contract funding; editorships; or holding office in regional or national professional organizations.

In this category, candidates should also report their work on campus initiatives, service on committees, as well as work in professional associations.

Faculty are expected to make contributions to their professions and to the institution. Service to Montclair State University, including contributions at the department, school/college or university level are recognized as important to the life of the scholarly community. For reappointment as or promotion to associate professor, the record must demonstrate, at a minimum, significant service at the departmental level. For reappointment as or promotion to professor, the record of service must be substantial, including contributions beyond the department level.

15.5 Weights to be Assigned to Criteria

The following tables indicate the weights assigned to school/college and University promotions depending upon the participation of the candidate in FSIP.

For Faculty in the FSIP Category: Teaching

Teaching	40
Scholarship of Pedagogy	20
Scholarship of Discovery, Integration, or Aesthetic Creation	20
Scholarship of Application	20

For Faculty in the FSIP Category: Scholarship of Pedagogy

Teaching	30
Scholarship of Pedagogy	40
Scholarship of Discovery, Integration, or Aesthetic Creation	10
Scholarship of Application	20

For Faculty in the FSIP Category: Scholarship of Discovery, Integration, or Aesthetic Creation

Teaching	30
Scholarship of Pedagogy	10
Scholarship of Discovery, Integration, or Aesthetic Creation	40
Scholarship of Application	20

For Faculty in the FSIP Category: Scholarship of Application

Teaching	30
Scholarship of Pedagogy	20
Scholarship of Discovery, Integration, or Aesthetic Creation	10
Scholarship of Application	40

The following weights shall be assigned for Special Contributions Promotions:

Teaching	30
Scholarship of Pedagogy	20
Scholarship of Discovery, Integration, or Aesthetic Creation	10
Scholarship of Application	40

16. APPENDIX III: CRITERIA FOR SABBATICAL LEAVES

- 16.1 Scholarly/artistic level of the project.
- 16.2 Projected contribution to the individual as teacher and/or scholar.
- 16.3 Projected contribution to the University and/or Department.
- 16.4 Years of service at the University since the applicant's last Sabbatical leave.

17. APPENDIX IV

CRITERIA FOR PROFESSIONAL STAFF LEADERSHIP DEVELOPMENT PROGRAM

- 17.1 Years of Service
- 17.2 Advanced Degrees Held
- 17.3 Contributions to the University Community

18. LOCAL LETTER OF AGREEMENT I—FACULTY RETRAINING PROGRAM

18.1 PREAMBLE

The purpose of the Faculty Retraining Program is to assist tenured faculty members who wish to engage in professional development activities which will lead to either full-time or a more limited involvement with departments currently experiencing significant student demand. It is anticipated that faculty who participate in the program will develop new interdisciplinary interests, broaden their understanding of subjects and topics of inquiry different from their primary areas of expertise, and establish new collegial relationships across departmental and College/School lines. The University will also benefit from the retraining program by further developing its faculty resources and nurturing interdisciplinary study. Faculty participation in any capacity in the program is voluntary.

18.2 PART TIME OPTION

The Faculty Retraining Program will provide support to those faculty members who wish to engage in professional development activities that will enable them as part of their regular teaching load to teach courses in areas currently experiencing significant student demand. With the help of participating departments, faculty will be prepared to teach courses in those areas of high programmatic need and growth potential as identified by the Administration in accordance with the State Agreement.

Interested faculty will complete an application form available from the Associate Vice President for Academic Affairs, who will administer the program. In the application the applicant will identify courses he or she is interested in teaching, describe prior training and experience and outline a plan for implementing and completing the retraining. Departments through which these courses are offered ("host departments") will review the applications and credentials and recommend faculty to take part in the retraining program. Faculty applicants will not be required to present qualifications in excess of those required for adjunct instructors in the high demand areas.

Alternate qualifications may be considered in some cases. The chairperson of the applicant's home department and the deans of both affected schools will also review the applications. The deans and chairpersons must concur prior to submission of the proposal to the VPAA for approval or rejection.

Retraining will involve: a) audit of specific Montclair State University courses and b) special intensive workshops conducted by the host department during the summer following the audit experience to train participating faculty and prepare them for classes they will teach in the succeeding academic year. In addition to provision of faculty for leadership of the retraining workshops, the host department will identify a faculty member to work with those participating in the retraining program to provide assistance during the first semester of teaching, to suggest instructional strategies and to recommend ideas for further professional development. Departments will evaluate instructional performance periodically in accordance with their usual procedures and determine if all parties agree to continue the process.

During the summer, stipends equivalent to those offered for summer teaching will be provided for faculty who participate in the program, as well as for those who provide leadership for the retraining workshops. A modest honorarium will also be provided to those faculty who serve as mentors.

The Faculty Retraining Program is open to all tenured full-time faculty. The Sabbatical Leave Program, Career Development Program and Tuition Reimbursement Program may be utilized, as appropriate, to enhance the retraining opportunities for faculty. Actual implementation of this program in the specified curricular areas will depend on the number of interested faculty for whom such retraining is feasible and on the availability of persons from the host departments willing to assist in the retraining of faculty colleagues.

18.3 TRANSFER OPTION

The President will identify and publish a list of departments in high need of qualified faculty as well as a request that faculty members interested in retraining and subsequent transfer to one of the high-need departments should express their interest in this process to the Vice President for Academic Affairs of the University.

The VPAA or his or her designee will convene a Transfer Planning Group consisting of the heads of the sending and receiving departments, the Dean or Deans of the sending and receiving College(s)/School(s), a representative of Local 1904 AFT and the faculty member who has expressed interest in retraining and transfer.

The Group will develop a plan for retraining and transfer, including provisions for its implementation in a series of phased steps and for periodic review to determine if all parties agree to continue the process, which will be submitted for approval to the VPAA. Positions not reflected in the plan may be forwarded to the VPAA by any individual member of the Group.

Elements to be incorporated in the plan will include such matters as faculty rights (including those specified in the *State* and Local contracts), impact of assignment of faculty lines, probationary period, academic qualifications and any other considerations vital to the various participants in the meeting.

19. LOCAL LETTER OF AGREEMENT II—WORKPLACE COMMITTEE

In accord with *Letter of Agreement I in the 1986-1989 Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO*, a Workplace Committee will be established.

The Committee will be composed of six (6) individuals, three (3) each named by the Union and Administration. The position of chairperson will rotate yearly between a Union representative and a representative of the Administration.

The Committee will meet to discuss issues related to work surroundings, equipment and support personnel. It is recognized that there is some overlap with the charge to the Facilities Committee and it is expected that the Workplace Committee and the Facilities Committee will consult in areas of overlapping responsibility. The Workplace Committee reserves the right to consider issues addressed by the Facilities Committee when it feels such action is required and within its charge as noted in the State Agreement. The Workplace Committee will regularly exchange minutes with the Facilities Committee.

