December 10, 2008

Memorandum

To: Executive Committee of Academic Council

From: Kim A. Wilcox, Provost

Subject: Revisions in the Policies on Granting Tenure and Operating Principles of the Tenure System

At its meetings on April 11, 2007, November 14, 2007, March 19, 2008, September 3, 2008 and October 15, 2008, the University Committee on Faculty Tenure reviewed and approved revisions to the Operating Principles of the Tenure System and the Granting Tenure policy. I endorse the changes approved by the Committee as reflected in the attached documents and ask that they be forwarded to Faculty and Academic Councils for consideration. A copy of the current policy statements is also attached.

The revised policies include editorial and substantive changes; the most significant changes are the following:

- Resolution of an inconsistency between proposed Operating Principle #7 and the Bylaws for Academic Governance
- Clarification that tenure at Michigan State University resides in the University (see proposed Operating Principle #8)
- Elimination of review by the University Committee on Faculty Tenure of requests for a non-tenure system appointment that immediately follows an appointment in the tenure system
- Clarification that a tenure system faculty member receive written information about the unit’s expectations and procedures for reappointment, promotion and tenure
- Deletion of the option to appoint Instructors in the tenure system
- Deletion of the option to reappoint an Assistant Professor with tenure

c: Lou Anna Simon
   June Youatt
   Theodore Curry
OPERATING PRINCIPLES OF THE TENURE SYSTEM

The following policy was revised by the Board of Trustees on May 18, 2007 and on _____.

1. Probationary appointment periods for tenure purposes are calculated from August 16 of the calendar year in which the appointment is effective.
2. A faculty member granted a leave of absence for six to twelve months will have the probationary appointment period extended appropriately. See “Implementation Practices” for additional reasons and procedures for extending the probationary appointment period.
3. A faculty member who is not to be recommended for reappointment by the department chairperson and dean must be so notified in writing by the department chairperson by December 15 preceding the expiration of the appointment. Copies of the notification are to be sent to the dean and provost. Upon written request of the faculty member, the administrative unit making the decision shall transmit in writing the reasons for not recommending further appointment.
4. If a faculty member is not given proper notification, as stated in 3., an extension of one year is automatic, and the faculty member shall consider this arrangement as official notification of separation from the University at the end of the one-year extension.
5. A tenure system faculty member who is not reappointed or resigns may not be appointed in the tenure system, except as approved by the University Committee on Faculty Tenure upon written request by the faculty member, department/school and college.
6. A Foreign National holding non-immigrant status may be appointed within the tenure system; however, he/she may not be appointed with tenure unless (a) he/she has acquired permanent resident status or U.S. citizenship or (b) he/she enters into and complies with the terms of a Faculty Tenure Policy Exemption Agreement\(^1\) approved by the Provost.
7. Questions about the interpretation of the tenure rules are referred to the University Committee on Faculty Tenure. The Committee renders a decision and communicates it to the president, the provost or other appropriate administrative official. In every case, final decision rests with the Board of Trustees. The University Committee on Faculty Tenure also considers the resolution of tenure issues/problems arising from situations not covered in the tenure rules and proposes solutions to the Provost. As appropriate, the Provost may recommend new policies or policy revisions to appropriate academic governance bodies. Changes in the tenure rules require action by the Board of Trustees.
8. Tenure at Michigan State University resides in the University and tenured faculty have “tenure in the university.” (See “Principles of Faculty Reassignment”).

Footnote:

\(^1\)In those situations where the Foreign National chooses not to execute a Faculty Tenure Policy Exemption Agreement but has otherwise been endorsed by the Provost as having met all of the requirements for promotion and tenure, he/she will be placed on a fixed term appointment or have his/her appointment period extended on an annual basis, whichever is appropriate, until permanent resident status or U.S. citizenship is granted, at which time a tenure recommendation will be made to the Board of Trustees.

Endorsed by the University Committee on Faculty Tenure on April 11, 2007, November 14, 2007 and October 15, 2008.
DRAFT
Granting Tenure

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on May 15, 1952 and amended on June 11, 1993.

The Board of Trustees in approving this statement of tenure policy does so in good faith with the intent to comply fully with it. It must, however, reserve the right to deviate from these terms if conditions beyond its control, such as abrupt declines in enrollment, drastic loss of income or conditions that result in the drastic curtailment or abandonment of programs or activities, make it necessary to do so.

Preamble: The purpose of tenure is to assure the University staff academic freedom and security and to protect the best interests of the University. Tenure shall not be considered to protect any person from the loss of his/her position as a result of misconduct which constitutes cause for dismissal as specified in the Dismissal of Tenured Faculty for Cause policy.

GRANTING TENURE

Appointments in the tenure system are only at the ranks of professor, associate professor, and assistant professor.

The chairperson of the unit recommending an appointment in the tenure system shall deliver in writing to the faculty member at the time of appointment a copy of the bylaws of the unit or other policy document that specifies the unit’s expectations and procedures for reappointment, promotion and tenure. (See section on Non-Tenured Faculty in the Tenure System.)

Recommendations for tenure system faculty appointments, reappointments, promotion and tenure originate in the primary academic unit (department, school or non-departmentally organized college) and are reviewed successively by the Dean, the Provost and are approved by the President. Actions involving the award of tenure are approved by the President, who makes the final recommendation to the Board of Trustees for action. When tenure is granted, it is effective upon the first day of the month after the date of approval by the Board of Trustees.

A faculty member with the rank of professor in the tenure system is granted tenure (appointment for an indefinite period without a terminal date) from the date of appointment at that rank.

An associate professor who has not served previously at Michigan State University usually is appointed in the tenure system for a probationary period of four years. In some cases, upon the recommendation of the unit administrator(s), dean(s), and with the prior approval of the Provost and President, the probationary period may vary in length from two to five years. If an associate professor is reappointed, tenure is granted. Individuals appointed at the rank of associate professor without tenure have the option of requesting reappointment at any point prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the time specified upon appointment.
In unusual cases, on recommendation of the unit administrator(s) and dean(s) and with the prior approval of the Provost and the President, and final approval by the Board of Trustees, a faculty member initially appointed at the rank of associate professor may be granted tenure from the date of appointment.

An assistant professor\(^1\) who has not served previously at Michigan State University is appointed initially in the tenure system for a probationary period of four years and may be reappointed for an additional probationary period of three years. If at any time during these two probationary periods an assistant professor is promoted to the rank of associate professor, tenure is granted. If not promoted to the rank of associate professor at the conclusion of the second probationary period of three years, the individual is ineligible for an additional reappointment unless a special extension is approved (see below). Individuals appointed at the rank of assistant professor without tenure have the option of requesting promotion to associate professor with tenure at any point\(^2\) prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the normal time.

Extensions in the probationary appointment periods for all faculty appointed in the tenure system require approval of the Chairperson/Director, the Dean, the Provost (or designee) and the University Committee on Faculty Tenure\(^3\) Extensions in probationary appointment periods are not interpretations of or deviations from the rules of tenure under section 4.8.5. of the Bylaws for Academic Governance.

**Footnotes:**

\(^1\)Consistent with the Committee on Institutional Cooperation (Big Ten) and other peer law school policies/practices, the Law College has slightly different lengths for tenure system probationary appointment periods than those described above. An assistant professor may be promoted to the rank of associate professor without tenure after three years of college tenure system employment. An assistant or associate professor must apply for tenure at the latest after completion of ten regular semesters or five years of service at the Law College. A candidate with significant tenure system law teaching experience or exceptional public or private professional experience may be appointed as an associate professor without tenure. In unusual circumstances, an initial appointment may be made at the rank of associate professor with tenure. An appointment at the rank of full professor confers tenure upon appointment. See the Law College’s Policy for the Granting of Tenure and Promotion.

\(^2\)Such early reviews would occur on the normal review cycle as established by university, college and department/school procedures.

\(^3\)Information on extensions of probationary appointments should originate in the primary academic unit; such information may also be obtained from the chairperson of the University Committee on Faculty Tenure, the department chairperson, the school director, the dean, or the Office of the Provost. See section on Implementation Practices.

Endorsed by the University Committee on Faculty Tenure on April 11, 2007, March 19, 2008 and September 3, 2008.
Operating Principles of the Tenure System

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

OPERATING PRINCIPLES OF THE TENURE SYSTEM

The following policy was revised by the Board of Trustees on May 18, 2007.

1. Appointment periods for tenure purposes are calculated from August 16 of the calendar year in which the appointment is effective.

2. A faculty member granted a leave of absence will have the appointment period extended appropriately.

3. Faculty members serving abroad with one of Michigan State University's projects are treated for tenure action as if they were serving the University on campus except that:
   a. A faculty member without tenure whose initial appointment to Michigan State University is to an overseas assignment of six months or more will have the appointment period under the tenure system extended by a period equal to the duration of the overseas assignment.
   b. Any other faculty member without tenure who serves abroad on a Michigan State University project may have the appointment period under the tenure system extended similarly only with the concurrence in writing of the faculty member involved and the department chairperson, the dean, the provost, and the president. Such agreement must be reached prior to departure for the overseas assignment.

4. A faculty member who is not to be recommended for reappointment by the department chairperson and dean must be so notified in writing by the department chairperson by December 15 preceding the expiration of the appointment. Copies of the notification are to be sent to the dean and provost. Upon written request of the faculty member, the administrative unit making the decision shall transmit in writing the reasons for not recommending further appointment.

5. If a faculty member who was recommended by the department chairperson and dean is not reappointed, and/or if proper notification, as stated in 4., is not given, an extension of one year is automatic, and the faculty member shall consider this arrangement as official notification of separation from the University at the end of the one-year extension.

6. A faculty member may not be transferred out of the tenure system during or immediately after an appointment under the tenure system, except as approved by the University Committee on Faculty Tenure upon written petition of both the faculty member and the department. Subsequent appointment in the tenure system requires approval of the University Committee on Faculty Tenure.

7. A Foreign National holding non-immigrant status may be appointed within the tenure system; however, he/she may not be appointed with tenure unless (a) he/she has acquired permanent resident status or U.S. citizenship or (b) he/she enters into and complies with the terms of a Faculty Tenure Policy Exemption Agreement approved by the Provost.

8. Questions about the interpretation of the tenure regulations, or about the solution of tenure problems arising from situations not specifically covered in these regulations, are referred to the University Committee on Faculty Tenure. The Committee after thorough study submits its recommendations to the president, the provost or other appropriate administrative officer or body. In every case, final decision rests with the Board of Trustees.

http://www.hr.msu.edu/CMShrsite/Templates/ContentPage.aspx?NRMODE=Published&NRNODEGUID... 12/9/2008
Footnote:

1In those situations where the Foreign National chooses not to execute a Faculty Tenure Policy Exemption Agreement but has otherwise been endorsed by the Provost as having met all of the requirements for promotion and tenure, he/she will be placed on a fixed term appointment or have his/her appointment period extended on an annual basis, whichever is appropriate, until permanent resident status or U.S. citizenship is granted, at which time a tenure recommendation will be made to the Board of Trustees.
IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on May 15, 1952 and amended on June 11, 1993.

The Board of Trustees in approving this statement of tenure policy does so in good faith with the intent to comply fully with it. It must, however, reserve the right to deviate from these terms if conditions beyond its control, such as abrupt declines in enrollment, drastic loss of income or conditions that result in the drastic curtailment or abandonment of programs or activities, make it necessary to do so.

Preamble: The purpose of tenure is to assure the University staff academic freedom and security and to protect the best interests of the University. Tenure shall not be considered to protect any person from the loss of his/her position as a result of misconduct which constitutes cause for dismissal as specified in the Dismissal of Tenured Faculty for Cause policy.

GRANTING TENURE

A faculty member with the rank of professor in the tenure system is granted tenure (appointment for an indefinite period without a terminal date) from the date of appointment at that rank.

An associate professor¹ who has not served previously at Michigan State University usually is appointed in the tenure system for a probationary period of four years. In some cases, upon the recommendation of the unit administrator(s), dean(s), and with the prior approval of the Provost and President, the probationary period may vary in length from two to five years. If an associate professor is reappointed, tenure is granted. Individuals appointed at the rank of associate professor without tenure have the option of requesting reappointment at any point² prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the time specified upon appointment.

In unusual cases, on recommendation of the unit administrator(s) and dean(s) and with the prior approval of the Provost and the President, a faculty member initially appointed at the rank of associate professor may be granted tenure from the date of appointment.

An assistant professor¹ who has not served previously at Michigan State University is appointed initially in the tenure system for a probationary period of four years and may be reappointed for an additional probationary period of three years. If an assistant professor is appointed beyond the two probationary periods, tenure is granted. If at any time during these two probationary periods an assistant professor is promoted to the rank of associate professor, tenure is granted.

An instructor is appointed in the tenure system for one three-year probationary period. Appointments at the rank of instructor in the tenure system are exceptions to University policy and are provided only in special circumstances (see policy on Receipt of Terminal Qualifying Degree as a Condition of Appointment in the Tenure System, Faculty Handbook). If not promoted to the rank of assistant professor at the conclusion of the one three-year probationary period, the individual is ineligible for an additional reappointment unless a special extension is approved (see below).

If during the one three-year probationary appointment period as an instructor, promotion to the rank of assistant professor is approved, the appointment period as an assistant professor will be for:

1. three years after service as an instructor for one year;
2. two years after service as an instructor for two years; or

3. one year after service as an instructor for three years.

If reappointed at the assistant professor rank, the appointment will be on a probationary basis for three years. If an assistant professor is reappointed after this three-year period, tenure is granted.

Extensions in the probationary appointment periods for all faculty appointed in the tenure system require approval of the University Committee on Faculty Tenure, the Chairperson/Director, the Dean, and the Provost (or designee). Extensions in probationary appointment periods are not interpretations of or deviations from the rules of tenure under section 4.8.5. of the Bylaws for Academic Governance.

Recommendations for tenure system faculty appointments, reappointments, extensions of probationary periods, promotion and tenure originate in the primary academic unit (department, school or non-departmentally organized college) and are reviewed successively by the Dean, the Provost and are approved by the President. Actions involving the award of tenure are approved by the President, who makes the final recommendation to the Board of Trustees for action. When tenure is granted, it is effective upon the first day of the month after the date of approval by the Board of Trustees.

Appointments to the ranks of professor, associate professor, assistant professor, and instructor normally are made under the provisions of the Michigan State University tenure system.

1. The terms and conditions of employment shall be provided in writing to the faculty member at the time of initial appointment. These terms should include:

   a. The time period covered by the appointment

   b. Salary provision

   c. The general expectations in regard to the professional responsibilities of the person being appointed.

   d. Conditions other than the appointee's performance of his/her responsibilities that would make a further appointment advisable.

2. The chairperson of the unit recommending the appointment shall deliver in writing to the non-tenured faculty member at the time of appointment a copy of the bylaws of the unit which specifies that administrative unit's procedures for action on the status of non-tenured faculty. (See section on Non-Tenured Faculty in the Tenure System.)

Footnotes:

1 Consistent with the Committee on Institutional Cooperation (Big Ten) and other peer law school policies/practices, the Law College has slightly different lengths for tenure system probationary appointment periods than those described above. An assistant professor may be promoted to the rank of associate professor without tenure after three years of college tenure system employment. An assistant or associate professor must apply for tenure after completion of ten regular semesters or five years of service at the Law College. A candidate with significant tenure system law teaching experience or exceptional public or private professional experience may be appointed as an associate professor without tenure. In unusual circumstances, an initial appointment may be made at the rank of associate professor with tenure. An appointment at the rank of full professor confers tenure upon appointment. See the Law College's Policy for the Granting of Tenure and Promotion.

2 Such early reviews would occur on the normal review cycle as established by university, college and
Information on extensions of probationary appointments should originate in the primary academic unit; such information may also be obtained from the chairperson of the University Committee on Faculty Tenure, the department chairperson, the school director, the dean, or the Office of the Provost. See section on Implementation Practices.

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