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SECTION V. POLICIES AND PROCEDURES FOR INDEFINITE TERM AND FIXED TERM FACULTY

Washington State University employs a number of indefinite term and temporary faculty. In no instance should temporary employment be used to jeopardize Washington State University's commitment to equal opportunity in employment and affirmative action.

A. TYPES OF INDEFINITE APPOINTMENTS

Indefinite faculty appointments may be divided into two categories: (1) terminal appointments with specific end dates determined by the nature of the assigned task, funds or contracts; and (2) contingency appointments, with end dates, in which continued employment is determined by specific contingencies.

1. Terminal Appointment Definition

Terminal appointments end on specific dates. Reappointment is dependent upon renewal of funding or contracts, extension of the assigned tasks, and positive action taken to reappoint the incumbent. The offer of such a position implies no obligation on the part of the University to continue employment beyond the termination date of the temporary appointment; such decisions lie solely within the University's discretion.

Types of terminal appointments are contracts for a specified period, teaching positions to cover unexpected enrollments in courses, visiting faculty appointments, grant-funded positions, summer appointments, adjunct and non-service appointments, appointments to teach courses offered through Extended University Services, exchange faculty appointments, appointments of persons who have not attained permanent visas or citizenship, research associate positions, internships, and positions occurring because of permanent employees' leaves or separations.

2. Contingency Appointment Definition

In addition to termination dates, hiring actions for contingency appointments include a statement that continuing employment is contingent upon specific qualifications. If the contingency specifies a date by which some action must be complete and if the specifications are not met, the University has no obligation to the employee beyond the contingency date. Employees hired on one- to three-year contracts are in this category, as are employees holding temporary visas who will become eligible for permanent positions upon requisite changes in immigration status. Adjunct appointees who hold Graduate Faculty status do so at the discretion of a graduate department or program and their continued appointment is contingent upon departmental approval.

3. Hiring Policies and Procedures

Information regarding recruitment, including special circumstances for grant employees, periodic advertisement to establish temporary applicant pools, and details regarding adjunct and visiting appointments may be found in the *Business Policies and Procedures Manual*, 60.11 and/or the Center for Human Rights *Recruitment Manual*.

B. ESTABLISHMENT OF POSITIONS

As in the case of permanent faculty positions, temporary positions must be established prior to advertisement or personnel reclassification. To establish a temporary position, a memo of request, position action, and a job description is addressed to the Provost and Executive Vice President and routed through the normal administrative channels to the Budget Office and Center for Human Rights. The responsibility for final decisions about faculty positions resides with the Provost and Executive Vice President and no action on those positions may be taken without the approval of that office or the appropriate designee.

1. Periods of Appointment

Periods of appointment will vary depending upon the particular situation. Temporary academic (nine-month) appointments usually occur within the August 16 through May 15 academic year. If the appointment occurs between the period May 16 through August 15, it is called a summer appointment unless the employee is involved in instructional duties, in which case it is called a summer session appointment. All summer appointments and summer session appointments are temporary. Annual (twelve-month) appointments are differentiated from academic appointments in that they occur during the period July 1 through June 30 or any portion of that period and are usually noninstructional positions. Only annual appointees accrue annual leave. Those appointed with temporary research titles may be appointed at any time for any period up to two years.

2. Relocation Expenses

Relocation expenses for temporary faculty are not allowable on state funds by state law. If the hire includes moving on other than state funds, a statement must be included on the Personnel Action Form and the necessary departmental requisition sent to Purchasing. The employee may not set up his or her own move. Further information maybe obtained from the Purchasing Office.

3. Temporary Long-Term

Faculty hired on a contingency basis may be granted permanency if they meet certain criteria such as completion of a terminal degree. These appointments may be established for up to three years. Understandings of this nature must be written into the comments sections of the Personnel Action forms and permanent positions must be identified at the time such agreements are made. A statement must be made on the Personnel Action Form if the time spent in the temporary appointment is to be credited toward tenure eligibility.

In the case of international temporary appointees, a statement that the appointee will be eligible for consideration for permanent appointment with requisite changes to his or her immigration status and identification of a permanent position should accompany the initial appointment. Such faculty may be appointed to three-year terms.

C. TITLES

1. Clinical Faculty

Faculty whose primary responsibilities are clinical supervision, and/or clinical instruction are persons qualified by training, experience or education to direct or participate in specialized university functions which are defined within the college making the appointment and approved by the Office of the Provost and Executive Vice President. Appointments are as clinical assistant professor, clinical associate professor or clinical professor.

2. Lecturer

The title Lecturer is an entry level faculty position and is used for faculty hired as assistant professors who arrive without having completed their terminal degree. Such faculty are expected to complete the terminal degree during the first year of appointment or be given a terminal appointment for the second year. The title lecturer also may be used for temporary appointments to address a particular teaching need, usually for one semester and at less than 100%.

3. Instructor

The title Instructor is used for short-term teaching contracts where no indication of rank is intended. The title Instructor implies the appointment is non-permanent and non-tenure track in nature. An instructor's primary responsibility is teaching undergraduate or clinical courses as defined by the supervising dean. These appointments can be renewed indefinitely at the discretion of the University. Instructor appointments may be from one to three years.

4. Senior Instructor

See above Instructor definition. Instructors who have successfully completed six years of University service may request promotion to senior instructor. Expectations for such appointments must be defined by the college and approved by the Office of the Provost and Executive Vice President. Appointments are for one to five years.

5. Visiting Faculty

Temporary appointees who are faculty members or professionals from another institution for purposes of teaching, collaboration or research. They are normally expected to return to their own institutions at the expiration of the appointment and are appointed as visiting instructors, visiting assistant professors, visiting associate professors, or visiting professors.

6. Adjunct Faculty

Adjunct faculty are individuals who may hold positions with employers other than WSU and are appointed temporarily to WSU faculties. Adjunct faculty provide various types of service/teaching within individual colleges according to established criteria and may serve on graduate committees. As qualified, ranks of adjunct assistant professor, adjunct associate professor, or adjunct professor may be assigned to adjunct faculty. Appointments are for up to three years.

7. Postdoctoral Research Associates

Persons who have earned a doctorate and are employed temporarily to support research.

8. Affiliate Faculty

Comparable to an adjunct appointment except that the person already is a WSU employee (faculty, administrative/professional) and has been invited to serve in a faculty role in a program other than the one paying his/her salary. Affiliate faculty are appointed on an unpaid, usually part-time basis to a department other than their home department at WSU for limited, renewable terms. As qualified, ranks of affiliate assistant professor, affiliate associate professor, or affiliate professor may be assigned to affiliate faculty who do not otherwise possess a faculty title.

Whenever a department plans to employ or host a foreign professor, researcher, or scholar, it is important to contact the Office of International Programs regarding arrangements for the appropriate immigration status.

Appointments

Appointment-Clinical Assistant Professor: Faculty at the rank of Clinical Assistant Professor are on fixed term appointments of up to three years contingent upon College/Department needs and may be reappointed upon satisfactory evaluation as measured by annual performance review; a one-year terminal appointment may be given prior to completion of a three-year term if the annual review is unsatisfactory.

Faculty members are typically not considered for promotion to Clinical Associate Professor prior to the sixth year of service at the rank of Clinical Assistant Professor. At the time the faculty member elects to seek promotion, the College/Department will conduct a comprehensive tenure style review that involves all clinical, tenure-track, and tenured faculty in the College/Department at the ranks of Associate, Full and Regents' Professor. Faculty may also remain at the rank of Clinical Assistant Professor and be reappointed to subsequent terms at that rank after their sixth year of service provided satisfactory performance continues.

Appointment-Clinical Associate Professor: Faculty at the rank of Clinical Associate Professor are on fixed-term appointments of up to three years. Performance reviews will be conducted annually with the possibility of three year rolling horizon renewal based on College/Department needs; a one-year terminal appointment may be given if the review is unsatisfactory.

At the time the faculty member elects to seek promotion to the rank of Clinical Professor, the College/Department will conduct a comprehensive tenure style review that involves all clinical, tenure-track, and tenured faculty in the College/Department holding the Full Professor rank. An individual College/Department, at its discretion, may require external reviews in line with its specific mission. If promotion to Clinical Professor is not pursued or is not granted, faculty may remain at the rank of Clinical Associate Professor provided satisfactory performance continues.

Appointment-Clinical Professor: Faculty at the rank of Clinical Professor are on fixed-term appointments of up to 3 years. Performance reviews will be conducted annually with the possibility of renewal for an additional period designated by the Dean and/or Chair and senior faculty of the College/Department, but not to exceed three years (i.e., rolling horizon appointment).

D. SETTING SALARIES, EXTRA COMPENSATION, AND ANNUAL REVIEW

1. Salary Criteria

Temporary faculty salaries are negotiated based upon education, experience, market value, and merit. Salary averages for permanent faculty are distributed to the Deans' offices the second semester of each year and may be used as benchmarks for determining salaries for temporary faculty.

2. Annual Review and Salary Increases

Temporary faculty who are hired on one- to three-year renewable contracts and temporary faculty holding ranked titles who will be rehired must be included in the formal annual review during the first year of appointment. Salary for employees who are hired for short-term contracts on self-sustaining funds may be renegotiated each rehire. Individuals holding temporary research-faculty titles and compensated by extramural grant funding should receive merit salary increases at the initiation of the principal investigator subject to administrative approval. When the entire faculty salary base is adjusted upward, these faculty will receive corresponding salary increases. Salary increases will take effect on July 1 or August 16 unless a different schedule is mandated by grant provisions.

Temporary faculty (other than those holding research titles) who are expected to be rehired for the following year must be included in the formal annual review process during the first year of

appointment or they will not be given an increase in salary during the next year. Criteria for evaluation may differ slightly from those for permanent faculty; however, performance in instruction, research and creative accomplishments, and service activities should be considered. The review should include student evaluations where appropriate and should indicate strengths and weaknesses with suggested areas of improvement.

After the department chair, or equivalent, has completed the written annual review evaluations, each temporary faculty member reviewed shall sign a statement indicating that he or she has had the opportunity to read the evaluation report and to discuss it with the chair prior to its being forwarded through administrative channels. Any dissent regarding contents of the report shall be appended to the report before it is submitted through channels.

3. Extra Compensation

Temporary faculty have the same constraints as permanent faculty in respect to earning extra compensation. See the *Business Policies and Procedures Manual*, 60.44.

E. RIGHTS AND PRIVILEGES

1. Benefits and Retirement

Insurance and health benefits are provided for temporary faculty if the appointment is for a minimum of half time (.50) and six months. Adjunct appointees are not included in regular benefits; however, they may purchase health insurance through the Benefit and Payroll Services.

2. Unemployment Compensation

Under applicable state laws and Department of Employment Security regulations, temporary faculty who are expected to be rehired for consecutive years are not eligible for unemployment benefits during summer months. Persons included in annual review will be denied unemployment benefits unless departments produce Personnel Action Forms indicating separation from University service.

F. LEAVE

1. Leave Accruals

Temporary faculty must be employed for at least half time (.50 FTE) for one semester on academic appointment or six months on annual appointment to be eligible for sick leave and (if eligible) annual leave. Full-time annual appointees earn 14.67 hours of annual leave per month. Academic- and irregular-term employees are not eligible for annual leave accruals. Eligible faculty earn eight hours sick leave per month. Persons on less than full-time but more than half-time service earn a proration of the regular annual leave or sick leave. Temporary appointees who work at least one month during the summer earn sick leave. Hourly appointees are not eligible for leave benefits. Employees who had accrued leave prior to the adoption of this policy may retain their current leave balances until the hours are depleted or until they separate from University service.

2. Holidays

Temporary faculty are eligible for all University holidays that occur during their period of appointment. Half-time or greater annual appointees on at least four-month appointments are eligible for the personal holiday.

3. Leave Usage and Payoff

No state employee may use leave before it is earned. Temporary faculty must request leave prior to taking it through their immediate supervisors. Generally, leave will be allowed unless a serious lapse in the project will occur or unless classes cannot be covered by alternate personnel. A temporary faculty member may use eight hours per month of accrued paid leave (including sick leave) for up to four months during parental or disability leave without pay to maintain eligibility for University-sponsored insurance benefits.

Normally, temporary faculty cannot be paid for accrued annual leave and cannot transfer accrued annual leave to an appointment with a different funding source.

4. Sick Leave

With the exception of the circumstances described above, sick leave may be used only in case of illness or temporary disability of the temporary faculty member or a member of his or her immediate family or household. Sick leave for more than ten days must be verified by a physician except in the case of childbearing, in which case six weeks of sick leave is allowable. If more time is required, the employee must supply a physician's statement. An illness of more than three days and a visit to a physician may qualify the employee for Family and Medical Leave. Human Resource Services will determine eligibility for such leave and the University must inform the employee at the time leave is taken if it will be so designated.

5. Work-Related Illness or Injury

Benefits for work-related illness, accident, or injury are provided in accordance with the State of Washington's Workers' Compensation Act. Temporary faculty pay one-third of the medical aid premium expense through payroll deductions. Any job-related accident or injury should be reported to the immediate supervisor, and the Benefit and Payroll Services through an Accident Injury or Occupational Illness report as soon as possible. If an employee receives compensation from State Industrial Insurance for a job-related injury, a like amount will be deducted from the next paycheck and a portion of reported sick leave will be reinstated. The Benefit and Payroll Services can provide clarification of this regulation.

6. Emergency Leave

Temporary faculty are eligible for emergency leave under the same provisions as permanent faculty. See section III, E, 14 of this *Manual*.

7. Professional/Retraining Leave

Temporary faculty are not eligible for professional or retraining leave. However, time spent in temporary positions may (upon approval of the appropriate administrative officers and the Provost and Executive Vice President) be credited toward leave if the employee acquires a permanent position.

8. Military Leave and Civil Duty

Temporary faculty are eligible for civil duty, military training or leave as provided by state law. See section V, E, 7, 8.

9. Leave Without Pay

Leave without pay must be requested by memorandum to the immediate supervisor. Reasons for the leave and the beginning and ending dates must be included in the request. If an extension is necessary, a second request should be submitted. The request should include a statement of intent to return to Washington State University for a like period of time. The period of leave cannot exceed the period of current appointment.

G. WAIVER OF TUITION AND FEES FOR FULL-TIME TEMPORARY EMPLOYEES

Temporary employees on at least half-time appointment may enroll, on a space available basis, with full waiver of tuition and fees in no more than six hours in one semester or four hours in the summer session. They must pay a five dollar registration fee plus any special course fees such as laboratory or late registration. This rule applies to total enrollment, and audits are included in the maximum permitted in any semester or summer session.

H. SUSPENDED OPERATIONS

In the case of natural or national emergency, when the President of the University declares suspended operations, temporary faculty who are not required to work will use annual leave or leave without pay.

I. OBLIGATIONS

1. Code of Ethics

Temporary faculty are considered officers of the University and as such must observe the Faculty Code of Professional Ethics and the Conduct Regulations. Within the parameters of their positions, they are expected to respect and defend free inquiry of associates, acknowledge contributions of others, show due respect for the opinions of others, set an academic example, accept their share of responsibilities for governance of the University, and protect institutional integrity by close observance of published regulations and policies in order to increase the effectiveness of the entire University community. Temporary faculty have the rights, privileges, and obligations of all citizens. They should make personal and private speech or actions clearly separate from University sanction, and as citizens of the University community, they are responsible for the promotion of free inquiry and public understanding of academic freedom.

2. Patents and Copyrights

Temporary faculty are subject to the same patent and copyright policies as are permanent faculty. See section VI F and G.

Washington State University may transmit or reproduce by television, radio, or other means, news and general information programs prepared by or participated in by temporary faculty. The negotiation of a contractual agreement between the responsible employee and the University is handled through the Provost and Executive Vice President.

J. TERMINATION

Employment may be terminated in any of the following ways:

1. Nonreappointment

For a faculty member with an appointment carrying a terminal date, the appointment ends on the specified terminal date, unless positive action is taken to reappoint that faculty member. In cases where a temporary appointment to the same position has been extended previously, without a break in service, the University must remind the temporary faculty member in writing of nonreappointment at least sixty days prior to the end of the current appointment. If the employee has been in the same temporary position continuously for five years or more, he or she must be afforded a written reminder of nonreappointment six months prior to the end of the current appointment. Contingency appointments always end on the designated terminal date unless the specified contingencies are satisfied.

2. Resignations

Resignations should be submitted as early as possible and must be submitted in writing at least sixty days prior to the separation date. Temporary faculty may properly request a waiver of the notice requirement in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity.

3. Under Extraordinary Circumstances

Termination of a temporary faculty appointment before the end of the period of appointment may be based on financial exigency or discontinuance of a program or department of instruction, research or service. Under the circumstances described in section V.J.1 of this *Manual*, notification to the employee(s) involved must be delivered in writing sixty days prior to the terminal date; or in cases where the terminal date of the current appointment necessitates an interval of less than sixty days, termination will be concurrent with the effective terminal date of the current appointment. If a decision to discontinue a program is rendered during the summer months and a verbal expectation of employment has been given to a temporary faculty member, notice will be delivered in writing as far in advance as possible that employment will not be available for the coming school year.

4. For Cause: Violation of the Faculty Code of Professional Ethics or Conduct Regulations

See Section II.G. Disciplinary Action

5. For Cause: Physical or Mental Health Reasons

See Section II F 5.

6. For Cause: Unsatisfactory Performance

Temporary research faculty compensated by extramural grant funding may be terminated if their performance is deemed unsatisfactory by the principal investigator of the research grant or contract to which their salary is charged. Temporary faculty have access to advice from the Center for Human Rights, the University Ombudsman, and the Faculty Status Committee.

K. RETIREMENT

Temporary faculty who have been reappointed beyond their original appointment and who intend to retire should address a letter to their immediate supervisor and to the Benefit and Payroll Services Office if the employee has paid into a retirement system through the University. Notice of retirement at the end of the current appointment should be submitted as early as possible. A minimum of 60 days' notice is appropriate.