Rationale for proposed changes:

The current system of employing faculty in non-tenure track positions could be improved by allowing faculty to be appointed as continuous (non-tenure track) faculty and by extending the termination notification period for certain non-tenure track faculty to acknowledge their service to the university.

- Continuous (non-tenure track) contracts and an extended termination notification period for temporary non-tenure track faculty would eliminate the stress felt by non-tenure track faculty as their appointment termination dates approach.
- Non-tenure track faculty would be given up to one year of notice in the event he or she would not have continued employment at WSU.
- Continuous appointments would facilitate obtaining mortgages and improve immigration status issues.
- Offering continuous (or temporary rolling horizon) appointments would substantially cut back on the paperwork currently being done to renew appointments year after year.
- The flexibility to downsize programs in response to changes in enrollments, budgets and areas of focus will be maintained since the university only needs to give one (academic) year notice to terminate such a contract.
- Administrators will have more flexibility in the types of appointments they can offer in the recruitment and retention of faculty.

To facilitate offering continuous (non-tenure track) positions and provide an extended termination notice, it is requested that the Faculty Affairs Committee consider the following updates to the Faculty Manual.
Proposed changes listed below with additions underlined and deletions with a strikethrough.

STARTING ON PAGE 91 OF THE FACULTY MANUAL

V A. Types of Non-tenure Track Appointments
Non-tenure track faculty appointments may be divided into three categories: (1) terminal appointments with specific end dates determined by the nature of the assigned task, funds or contracts (ie, Fixed Term); (2) contingency appointments, with end dates, in which continued employment is determined by specific contingencies (Indefinite Term); and (3) continuous appointments.

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.

3. Continuous Appointment Definition
The faculty member holds an appointment with no contractual end date. Continuous appointment faculty may be terminated with or without cause.

34. 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 BPPM 60.11 and/or the Office for Equal Opportunity Recruitment Manual.

SOME SECTIONS ARE SKIPPED HERE
V 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 that are defined within the college making the appointment and approved by the Office of the Provost. 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 one hundred percent (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. Only under extraordinary circumstances will a person be considered for promotion to senior instructor prior to the end of his or her fifth year of service as an instructor, with the promotion, if granted, awarded at the end of the sixth (6) year. Expectations for such appointments must be defined by the college and approved by the Office of the Provost. Appointments are for one to five years or continuous.

5. Research Faculty
Non-tenure track appointments used to identify non-teaching faculty who may serve as principal or co-principal investigators on grants or contracts administered by the University. As qualified, ranks of assistant research professor, associate research professor, or research professor may be assigned to research faculty.

6. Visiting Faculty
Fixed term 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.

7. 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.

8. Postdoctoral Research Associates
Postdoctoral research associates are persons who have earned a doctorate and are employed temporarily to support research.
9. Affiliate Faculty
Affiliate faculty are 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.

V D. Appointments
Appointment—Clinical Assistant Professor: Faculty at the rank of clinical assistant professor can be hired on continuous appointments or on fixed term appointments of up to three (3) 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 below satisfactory.

Only under extraordinary circumstances will a person be considered for promotion to clinical associate professor prior to the end of his or her fifth year of service as a clinical assistant professor, with the promotion, if granted, awarded at the end of the sixth (6) year. 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 and full 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 can be hired on continuous appointments or are on fixed-term appointments of up to five (5) years. Performance reviews will be conducted annually with the possibility of for fixed term contracts to be converted into rolling horizon contracts of up to five (5) years rolling horizon renewal based on college/department needs; a one-year terminal appointment may be given if the review is below satisfactory.

Only under extraordinary circumstances will a person be considered for promotion to clinical professor prior to the end of his or her fifth year of service as an associate professor, with the promotion, if granted, awarded at the end of the sixth year. 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 can be hired on continuous appointments or are on fixed-term appointments of up to five (5) years. Performance reviews will be conducted annually with the possibility of for fixed term contracts to be converted into rolling horizon contracts of up to five (5) years based on college/department needs; a one-year terminal appointment may be given if the review is below satisfactory. Renewal for an additional period designated by the dean and/or chair and senior faculty of the college/department, but not to exceed five (5) years (i.e., rolling horizon appointment).

SOME SECTIONS ARE SKIPPED HERE
Employment may be terminated in any of the following ways:

1. Non-reappointment

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. Contingency appointments always end on the designated terminal date unless the specified contingencies are satisfied. A written notice of non-reappointment is required only when a faculty member’s fixed-term appointment length is three two years or more and the faculty member has not yet received a letter of reappointment or if the faculty member is on a continuous appointment (which may be terminated with or without cause). The written notice must be issued to the faculty member as follows: (a) at least two (2) months in advance of the termination of services if in the first or second year of employment; (b) at least three (3) months in advance of the termination of services if in the third year of employment; (c) at least six (6) months in advance of the termination of services if in the fourth or fifth year of employment; (d) at least twelve (12) months in advance of the termination of services if employed by the University for six (6) years or longer. For the purposes of non-reappointment notification, total time of service (in temporary and/or continuous positions) at WSU will be accounted for when determining total employment time. At the request of a fixed-term faculty member, a written statement of the reason for non-reappointment shall be provided within 10 business days of receipt of the employee’s request at least sixty (60) calendar days prior to the termination date.

These notice provisions shall not apply in situations involving extraordinary circumstances, such as financial exigencies or elimination of function.