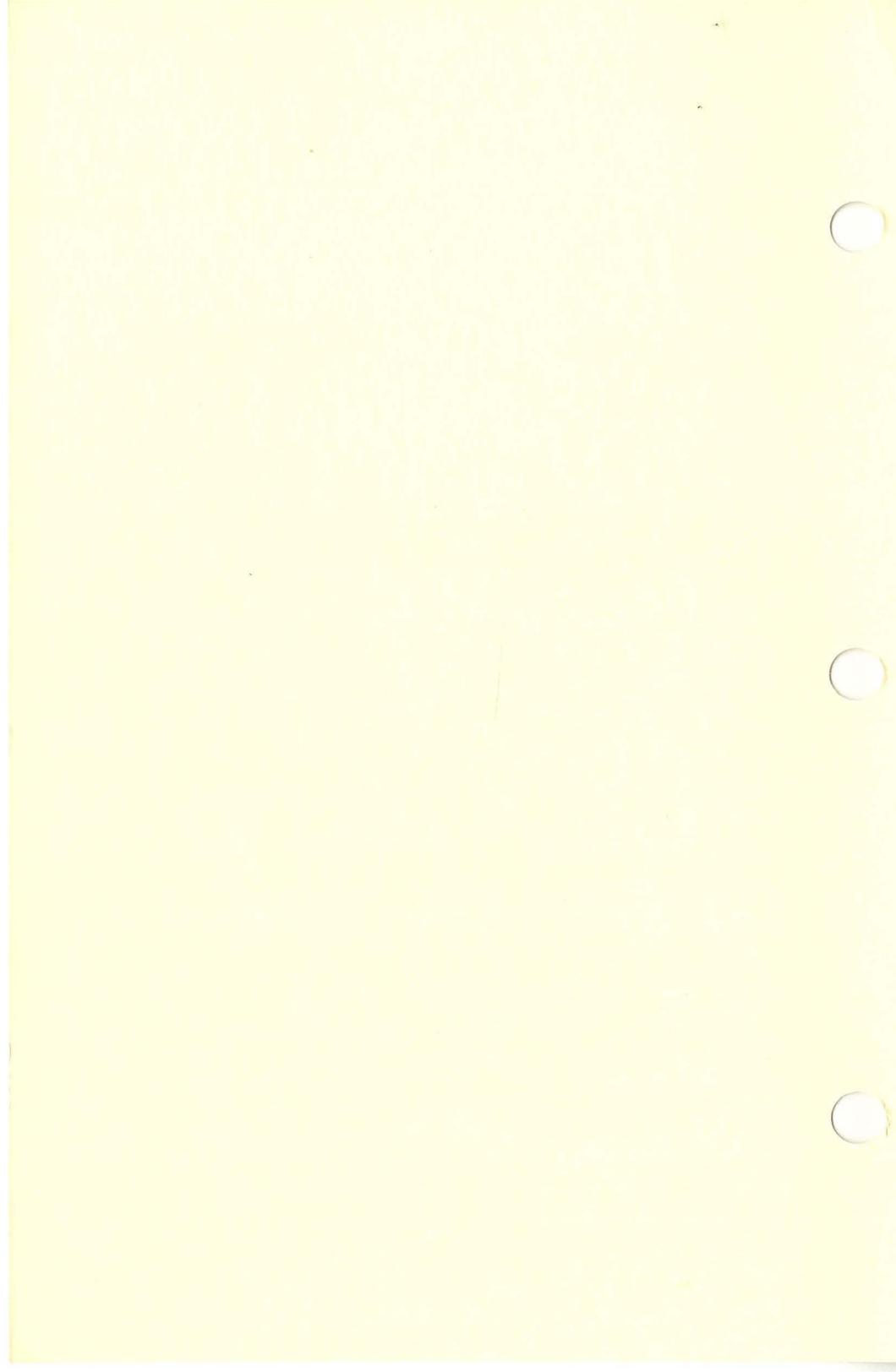




**FACULTY
HANDBOOK
MICHIGAN STATE
UNIVERSITY
East Lansing**



FACULTY HANDBOOK

MICHIGAN STATE UNIVERSITY

MSU IS AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY INSTITUTION

FACULTY HANDBOOK

MICHIGAN STATE UNIVERSITY

MSU IS AN AFFIRMATIVE ACTION/EO 11246-2/ADA/504/507 COMPLIANT INSTITUTION

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I. INTRODUCTION

FOREWORD

The *Faculty Handbook* provides information to help you as a faculty/academic staff member of Michigan State University. You will find most of the policies, regulations and procedures of the University either contained here in their entirety or referenced. Those which are not totally included because of their length or because they are peripheral to the faculty/academic staff mission can be found in other University publications. The following documents are general sources of information that may be of use to faculty and academic staff:

1. The *Faculty Handbook* contains employment policies for faculty and academic staff. It is available from your department secretary, or Academic Personnel Records, 355-1526.
2. The *Bylaws for Academic Governance* are available from your department secretary, or the Office of the Secretary for Academic Governance, 355-2337.
3. The *Faculty and Staff Directory* contains: Telephone numbers, Academic and Administrative Calendar, Administrative and Academic Organization of MSU, Members of the Board of Trustees, Members of University Committees, Campus map, etc. and is available from your department secretary, or from Room 64 Administration Building, 353-0720.
4. The *Academic Programs* section of the University catalog contains: Description of academic programs, Mission Statement, President's Statement, Honorary and Professional Organizations, etc. and is available from your department secretary, or from Room 64 Administration Building, 353-0720.
5. *This is Michigan State University - Facts Book* contains short descriptions of facilities, services, opportunities, organizations, offices, buildings, history of MSU, and other miscellaneous data. It is available from the Public Relations Office, 353-7958.
6. The *Board of Trustees Policy Manual* contains all policies approved by the Board of Trustees of Michigan State University. It is available from the Office of the Secretary of the Board of Trustees, 353-4647, or in college offices.

7. The *Bylaws of the Board of Trustees* are available from the Office of the Secretary of the Board of Trustees, 353-4647.
8. *Ordinances of Michigan State University* are available for viewing at the Department of Public Safety, 355-1830; or at the Reference Desk in the main Library.
9. *Spartan Life*, the student handbook and resource guide contains: Student legislative and judicial procedure, Academic Freedom for Students at MSU, Graduate Students Rights and Responsibilities, Student regulations, etc. and is available from Student Affairs and Services, 355-8286.
10. The *Manual of Business Procedures* contains information regarding proper University business procedures. It is available from your department secretary.

Wherever possible, dates of adoption and sources have been included for University policies and regulations. For policies approved by the Board of Trustees, the original approval date and the date of the most recent amendment is provided. Dates of other actions by the Board on a particular policy may be found in the *Board of Trustees' Policy Manual* which is available in all college offices or from the office of the Secretary of the Board of Trustees.

The *Faculty Handbook* will be updated by the addition of supplements or the substitution of revised pages in the future. New pages and supplements for all faculty/academic staff will be delivered through departmental offices. It will be the responsibility of the department chairperson to maintain an updated copy to which faculty/academic staff may refer.

The responsibility for distributing information about changes rests with the Office of the Provost. Questions regarding content should first be addressed to your departmental chairperson or the director of your school.

DISCLAIMER

The Michigan State University *Faculty Handbook* contains University policies, procedures, and other information in effect as of the date of issuance (see date at the bottom of each *Faculty Handbook* page). Any subsequent changes in University policies, procedures, and other information are effective as of the date of action of, or issuance by, the appropriate University body even though such changes have not yet been distributed as revisions of, or additions to, the Michigan State University

Faculty Handbook. Revisions of, or additions to, the *Faculty Handbook* will be issued regularly (usually annually) to deans, chairpersons, and directors and to individual tenure system faculty and others holding appointments in other continuing academic personnel appointment systems to which the *Faculty Handbook* is applicable. In the interim, every effort will be made to communicate revisions and additions to deans, directors, and chairpersons for communication to faculty and academic staff members.

SERVICES AND OPPORTUNITIES

Listed below are some of the services and opportunities which are widely used by faculty and academic staff. The notation 'AP' after a telephone number indicates that information concerning the topic can be found in *Academic Programs*; 'FB' indicates that information can be found in *This is Michigan State University - Facts Book*.

| <u>Service/Opportunity</u> | <u>University Office</u> | <u>Telephone*</u> |
|----------------------------|--------------------------------------|-------------------|
| Emergencies | Public Safety | 911 or 355-2221 |
| Art | Kresge Art Museum | 355-7631 AP,FB |
| Benefits | Staff Benefits Office | 353-4434 |
| Bookstore | MSU Bookstore | 355-3450 |
| Carillon Tower | Beaumont Tower | AP,FB |
| Chapel | Alumni Memorial Chapel | AP,FB |
| Child Care | Child Care Center, Spartan Village | 353-5154 |
| Nursery School | Laboratory Preschool, Family Ecology | 355-1900 |
| Computer Services | Computer Laboratory | 353-1800 FB |
| Credit Union | MSU Federal Credit Union | 353-2280 |
| Dining On-Campus | International Center | 355-4550 |
| | Kellogg Center | 353-4499 |
| | Owen Graduate Center | 355-5007 |
| | Union | 355-3492 |
| Education | Lifelong Education Programs | 355-0138 AP,FB |

*Telephone numbers are occasionally changed; please verify the number listed in the *Faculty/Staff Directory*.

| <u>Service/Opportunity</u> | <u>University Office</u> | <u>Telephone*</u> |
|----------------------------|--|-------------------|
| Faculty Folk Club | Faculty Folk Club | Phone directory |
| Gardens | Beal Botanical Garden | 355-9582 FB |
| | Hidden Lake Gardens | 431-2060 FB |
| | Kellogg Biological Station | 353-9445 AP,FB |
| Grievance | Faculty Grievance Office | 353-8884 |
| Health Care | Clinical Center | 353-3000 FB |
| Hotel Services | Kellogg Center | 332-6571 AP,FB |
| Housing On-Campus | University Apartments | 355-9550 AP |
| Off-Campus | Student Affairs and Services | 355-8303 |
| Library Services | Library | 353-8700 |
| Lost and Found | Union Building | 355-3497 |
| Media Services | Instructional Media Center | 353-3918 AP,FB |
| Minority Organizations | Human Relations | 353-3922 |
| Museum | Museum | 355-2370 AP,FB |
| Music | Music Department | 353-5340 AP |
| Newspapers | Faculty/Staff News-Bulletin | 355-2285 |
| | State News | 355-3447 |
| Parking-Vehicle, Bicycle | Public Safety Vehicle Office | 355-8440 AP |
| Payroll | Payroll Office | 355-5010 |
| Performing Arts | Wharton Center | 355-6686 AP |
| Personal Assistance | Employee Assistance Program | 355-4506 |
| Planetarium | Abrams Planetarium | 355-4672 AP,FB |
| Printing Services | University Printing, University Services | 355-6610 |
| Psychological Clinic | Psychological Clinic | 355-9564 |
| Public Relations | Public Relations Office | 353-7958 |
| Publishing Services | MSU Press | 355-9543 AP,FB |
| Radio | WKAR AM and FM Radio | 355-6540 FB |

*Telephone numbers are occasionally changed; please verify the number listed in the *Faculty/Staff Directory*.

| <u>Service/Opportunity</u> | <u>University Office</u> | <u>Telephone*</u> |
|----------------------------|--|-------------------|
| Recreation and Sports | Athletic Ticket Office | 355-1610 |
| | Forest Akers Golf Courses | 355-1635 |
| | Intramural Sports/Recreative Serv. | 355-5250 AP,FB |
| | Union Building | 355-3460 AP,FB |
| Research Services | Research | 355-0306 |
| Animal Care | Development Laboratory Animal Care Service | 353-5064 AP,FB |
| | Safety Radiation, Chemical, Biological | 355-0153 AP |
| Television | WKAR TV | 355-2300 FB |
| Transportation | Physical Plant | 353-5280 |
| | Automotive Services | |
| University Club | University Club | 353-5111 FB |
| Women's Organizations | Human Relations | 353-3922 |

MISSION STATEMENT

The following statement was approved by the Board of Trustees on June 24-25, 1982.

Michigan State University holds a unique position in the state's educational system. As a respected research and teaching university, it is committed to intellectual leadership and to excellence in both developing new knowledge and conveying that knowledge to its students and to the public. And as a pioneer land-grant institution, Michigan State University strives to discover practical uses for theoretical knowledge, and to speed the diffusion of information to residents of the state, the nation, and the world. In fostering both research and its application, this university will continue to be a catalyst for positive intellectual, social, and technological change.

*Telephone numbers are occasionally changed; please verify the number listed in the *Faculty/Staff Directory*.

Founded in 1855 as an autonomous public institution of higher learning by and for the citizens of Michigan, this institution was in 1863 designated the beneficiary of the Morrill Act endowment. It became one of the earliest land-grant institutions in the United States. Since 1863, Michigan State has evolved into an internationally esteemed university, offering a comprehensive spectrum of programs and attracting gifted professors, staff members, and students. The university seeks excellence in all programs and activities and this challenge for high achievement creates a dynamic atmosphere. At Michigan State University, instruction, research, and public service are integrated to make the institution an innovative, responsive public resource.

As the only land-grant institution in the state, Michigan State University is committed to providing equal educational opportunity to all qualified applicants; to extending knowledge to all people in the state; to melding professional and technical instruction with quality liberal education; to expanding knowledge as an end in itself as well as on behalf of society; to emphasizing the applications of information; and to contributing to the understanding and the solution of significant societal problems. Michigan State University's adherence to academic freedom and open scholarly inquiry supports these essential academic functions.

The university's land-grant and service mission first originated in the areas of agriculture and the mechanic arts. While these emphases remain essential to the purpose of Michigan State, the land-grant commitment now encompasses fields such as health, human relations, business, communication, education, and government, and extends to urban and international settings. The evolution of this mission reflects the increasing complexity and cultural diversity of society, the world's greater interdependence, changes in both state and national economy, and the explosive growth of knowledge, technology, and communications. Just as the focus on agriculture and the mechanic arts was appropriate when Michigan State University was founded, the wide range of instructional, research, and public service commitments that now characterize this university is essential today.

By 1964, the instruction, research, and public service activities at Michigan State University had achieved the high level of excellence necessary for membership in the Association of American Universities (AAU). Innovation and leadership in these three crucial areas and in the extension of knowledge to the state, the nation, and the world, are the hallmarks of this university. An excellent and diverse faculty insures the superior quality of academic programs, and contributes to the expansion of knowledge and its application in the public interest. Research

and scholarship help preserve and enrich cultural and creative traditions, as well as contribute to the formulation of new knowledge. Graduate programs draw upon and support faculty research, extend the benefits of research, and educate students for professional careers. The established national and international reputation of the university is based upon the quality and distinctiveness of the research and scholarly activity of its faculty and students.

Research and public service are mutually enriching activities for both faculty and students, and contribute significantly to the high quality of both undergraduate and graduate instructional programs. Through research, faculty members enhance the scope and effectiveness of their teaching. Through public service, faculty validate past research findings and identify the need for new research and for modifications of curricula. Participating with faculty in research and service projects provides students with unique learning opportunities, and consequently improves the quality of both graduate and undergraduate education.

At the undergraduate level, the university offers strong, comprehensive programs in the liberal arts and sciences and in major professional areas which include a significant general education component. Michigan State University provides opportunities for students of varying interests, abilities, backgrounds, and expectations. Underlying all educational programs is the belief that an educated person is one who becomes an effective and productive citizen. Such a person contributes to society intellectually, through analytical abilities and in the insightful use of knowledge; economically, through productive application of skills; socially, through an understanding and appreciation of the world and for individual and group beliefs and traditions; ethically, through sensitivity and faithfulness to examined values; and politically, through the use of reason in affairs of state. Mindful of such purposes, Michigan State University is committed to graduating educated men and women with diverse backgrounds who are active learners, ready to assume the responsibilities of leadership wherever opportunities arise.

Michigan State University fulfills the fundamental purposes of all major institutions of higher education: to seek, to teach, and to preserve knowledge. As a land-grant institution, this university meets these objectives in all its formal and informal educational programs, in basic and applied research, and in public service. As an AAU institution, this university meets these commitments through its instructional and research programs. Through the excellence of its academic programs, the strength of its support services, and the range of its student activities, the university provides opportunities for the fullest possible

development of the potential of each student and each citizen served, and enhances the quality of life and the economic viability of Michigan. Education of its citizens is the state's best investment in its future. Michigan State University has honored, and will continue to honor, this public trust.

Research and public service are mutually enhancing activities for both faculty and students and contribute significantly to the high quality of both undergraduate and graduate instruction programs. Through research, faculty members enhance the scope and effectiveness of their teaching. Through public service, faculty validate past research findings and identify the need for new research and for modifications of curricula. Participating with faculty in research and service projects provides students with unique learning opportunities and consequently improves the quality of both graduate and undergraduate education.

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II. ORGANIZATION

BOARD OF TRUSTEES

The Constitution of the State of Michigan provides that the Board of Trustees shall have general supervision and direction of the University. The eight members are elected from the state at large for a term of eight years, two being elected each even-numbered year. The president of the University is appointed by the Board and by constitutional provision is the presiding officer of the Board.

Generally, the Board meets approximately six times a year. As provided by Michigan law, the Board establishes an annual calendar for its regular meetings; meetings are open to the public except for limited closed sessions. Items requiring Board action are due in the President's or Provost's office about three weeks before each Board meeting. (See the Academic and Administrative Calendar for specific meeting dates.)

In addition to the president the following University officers are present at Board meetings: Provost, Vice President for Finance and Operations and Treasurer, Vice President for Research and Graduate Studies, Vice President for Student Affairs and Services, Vice President for University Development, Vice President for University Relations, Vice President for Health Services, General Counsel and Vice President for Legal Affairs, and Secretary of the Board. Five faculty members and four students selected by their respective constituencies also attend Board meetings.

ADMINISTRATIVE/ACADEMIC ORGANIZATION

The Organization of Michigan State University is updated annually and included in the *Faculty and Staff Directory*. (See the Foreword, for source of *Directory*.)

ACADEMIC GOVERNANCE

Preamble

The Constitution of the State of Michigan confers on the Board of Trustees the responsibility to develop a free and distinguished university and to promote the welfare of mankind through teaching, research and public service. The Board of

Trustees exercises final authority and responsibility for University governance within the bounds fixed by the State Constitution.

In exercising its responsibility the Board delegates to the president, and through that person to the faculty appropriate authority and jurisdiction over matters for which they are accountable to the Board. In other cases, for example, appointment, reappointment or promotion which involve the award of tenure, the Board does not delegate but instead looks to the faculty for recommendations. The specific powers delegated to the faculty are detailed in the *Bylaws of the Board of Trustees*.

The Board also has declared its intention to give due consideration to the opinions of students on matters directly related to their interest when they are expressed in a responsible manner.

It is important to specify the manner and process by which the faculty and students develop and communicate their views to the President and the Board. The *Bylaws for Academic Governance* are designed to provide an effective system for the participation of faculty and students in the development of policy on academic matters.*

The Faculty

The faculty of the University is defined in the *Bylaws of Academic Governance* as follows:

The "regular faculty" of Michigan State University shall consist of all persons appointed under the rules of tenure and holding the rank of professor, associate professor, assistant professor, or instructor, and persons appointed as librarians. In addition, the principal administrative officer of each major educational and research unit of the University shall be a member of the "regular faculty".

*The "temporary faculty" of Michigan State University shall consist of all persons holding the rank of professor, associate professor, assistant professor, or instructor, but not appointed under the rules of tenure.***

**Bylaws for Academic Governance*, Michigan State University, September 1984, page 5.

***Bylaws for Academic Governance*, Michigan State University, September 1984, paragraphs 1.1.1.1. and 1.1.1.2.

The faculty of the University is organized into units--most commonly departments but also schools, institutes, etc. Each department and unit is attached organizationally to at least one college; however, organizational attachment of units to two or more colleges is very common at MSU. The faculty of each college and unit has jurisdiction over its own internal academic affairs within University policy. Each college has an elective Advisory Council and each unit has an advisory committee. "Regular" faculty members holding appointments with the academic rank of professor, associate professor, assistant professor, or instructor constitute the voting faculty on internal matters in both the college and the department, and voting rights may be extended by unit bylaws to include temporary faculty, honorary faculty, specialists, lecturers, research associates, assistant instructors or adjunct faculty. Non-college faculty also participate in the governance system with a similar set of rights and responsibilities.

Student Participation in Academic Governance

The *Bylaws of the Faculty, 1968* provided for both undergraduate and graduate student participation in the Academic Council and certain faculty standing committees. In September, 1978, the Board of Trustees approved the *Bylaws for Academic Governance, 1978*, to replace the *Bylaws of the Faculty, 1968* and the *Bylaws for Academic Governance, 1975*. The 1978 Bylaws provided for student participation in academic governance and this involvement continues in the current Bylaws.

Each department, school, center, and institute that has academic responsibilities or whose work concerns either undergraduate or graduate students, and all colleges are charged to develop patterns for the significant involvement of its students in the decision making processes by which policy is formed. Each group is also required to define the extent of its student constituency. The students of such a constituency are responsible for selecting, according to patterns of their own choice, their representatives in the councils and committees to which they are party.

Academic Senate

The voting membership of the Academic Senate is composed of the regular faculty except for the president and the provost. Honorary faculty (visiting professors and professors emeriti) are members with voice but without vote. The Academic Senate acts on revisions to the *Bylaws for*

Academic Governance, issues raised by the Academic Council, issues raised by the faculty, or other significantly important educational issues the Senate itself wishes to consider. The Academic Senate also serves as a forum for dissemination of ideas and information between the faculty and the administration. The Academic Senate meets by call of the president or by call of the faculty members of the Steering Committee. The agenda for Senate meetings is prepared by the Steering Committee in consultation with the president and the provost.*

Additionally, a convocation of University faculty is held each winter term on a date announced annually, to receive from the president a message on the state of the University.

Academic Council

The Academic Council is composed of the Faculty Council, the Appointed Council, the Student Council, designated members of the Academic Council standing committees, the Steering Committee, the president, the provost, and designated ex-officio members. Ex-officio members are the Vice President for Student Affairs and Services, the Vice President for Research and Graduate Studies, the Assistant Provost for Undergraduate Education, the Assistant Provost for General Academic Administration, the Faculty Grievance Official, and the Ombudsman. There are three sub-groups in the Academic Council. The Faculty Council is composed of the faculty representatives from the colleges, faculty representatives from the non-college faculty, the faculty members of the Steering Committee, faculty chairpersons of Academic Council standing committees, the president and the provost. The Appointed

*The Secretary for Academic Governance is secretary to the Academic Senate, the Academic Council, the Faculty Council and the Student Council. The Office of the Secretary provides staff support to the Academic Council and its committees, supervises elections to the Academic Council and its committees, and provides assistance to colleges and departments in the preparation and interpretation of unit bylaws for academic governance. The Office of the Secretary is located in Room 308 Olds Hall (355-2337).

Council is composed of all deans of academic programs, the directors of the Honors College and Library, the president and the provost. The Student Council is composed of the student representatives, the student members of the Steering Committee, student chairpersons of the Academic Council standing committees, the president, the Vice President for Student Affairs and Services, the provost, and the chairperson of Student Council.*

The functions of the Academic Council are to consider and act upon all matters brought before the group by the Steering Committee, the president, and the provost, and to provide a forum for the dissemination of information and exchange of views regarding University policy. Consultation upon matters related to the general welfare of the University is provided by the Academic Council. The president, or in the president's absence, the provost, presides at meetings of the Academic Council. The Secretary for Academic Governance is the secretary of the Academic Council. The Academic Council must meet at least once each month during the academic year and more often at the call of the president or Steering Committee. The agenda is prepared by the Steering Committee, in consultation with the president or the provost. Before each regularly scheduled meeting of the Academic Senate or the Academic Council, the Steering Committee holds a public meeting open to any member of the faculty or student body at which suggestions for agenda items are heard, thereby providing the vehicle through which individual faculty members, students or faculty-student groups and other organizations may initiate action. The Steering Committee announces this meeting in the State News and the MSU Faculty News-Bulletin.

*The Secretary for Academic Governance is secretary to the Academic Senate, the Academic Council, the Faculty Council and the Student Council. The Office of the Secretary provides staff support to the Academic Council and its committees, supervises elections to the Academic Council and its committees, and provides assistance to colleges and departments in the preparation and interpretation of unit bylaws for academic governance. The Office of the Secretary is located in Room 308 Olds Hall (355-2337).

Most of the issues debated by the Academic Council are considered by its various standing committees: The University Committees on Academic Environment, Academic Governance, Academic Policy, Curriculum, Faculty Affairs, Faculty Tenure, General Education, Student Affairs and the University Graduate Council. For information about composition, procedures and functions of the various standing committees see Section 4 of the *Bylaws for Academic Governance*. Faculty and student members of the standing committees of the Academic Council are selected in accordance with the procedures specified in the *Bylaws for Academic Governance*.

Bylaws are an integral component of the governance system adopted in each academic unit. These documents describe faculty consultation and advisement in the units and normally describe reappointment, tenure and promotion procedures.

The Secretary for Academic Governance is secretary to the Academic Senate, the Academic Council, the Faculty Council and the Student Council. The Office of the Secretary provides staff support to the Academic Council and its committees, supervises elections to the Academic Council and its committees and provides assistance to colleges and departments in the preparation and interpretation of unit bylaws for academic governance. The Office of the Secretary is located in Room 308 Old Hall (555-2337).

III. UNIVERSITY POLICIES

EQUAL OPPORTUNITY AND NON-DISCRIMINATION

Michigan State University is committed to the principles of equal opportunity, non-discrimination and affirmative action. University programs, activities and facilities are available to all without regard to race, color, sex, religion, creed, national origin, political persuasion, sexual preference, marital status, handicap or age. The University is an Affirmative Action, Equal Opportunity Employer.

In carrying out this commitment, the University is guided by the policies adopted by the Board of Trustees and by applicable federal and state laws and regulations. Among these are:

- Executive Orders 11246 and 11375 prohibiting discrimination on the basis of race, color, religion, national origin or sex by institutions with federal contracts of over \$10,000.
- Title IX of the Higher Education Amendments of 1972 prohibiting discrimination against students and employees on the basis of sex.
- Titles VI and VII of the Civil Rights Act of 1964 (as amended) prohibiting discrimination in the provision of services and employment on the basis of race, color, religion, national origin or sex.
- Age Discrimination Act of 1975 prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance.
- Age Discrimination in Employment Act of 1967 prohibiting discrimination in employment on the basis of age.
- Equal Pay Act of 1963 (as amended) prohibiting discrimination in salaries on the basis of sex.
- Titles VII and VIII of the Public Health Service Act prohibiting discrimination in the admission of students in health personnel training programs on the basis of sex.
- Secs. 503 and 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of handicap in any program or activity receiving federal financial assistance and requiring affirmative action in the employment of the handicapped.
- Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 requiring affirmative action in the employment of disabled and Vietnam-era veterans.

- Michigan Civil Rights Act of 1977 prohibiting discriminatory practices, policies and customs.

The Board of Trustees has directed the establishment of the Anti-Discrimination Judicial Board to serve as its internal mechanism for the receipt, consideration, and resolution of complaints of alleged acts of discrimination against individuals occurring within the University.

A booklet, "Human Rights, The University's Commitment" has been prepared to provide background, to list in detail the Board of Trustees' policies regarding equal opportunity and to answer many questions relating to human rights. It is available from the Department of Human Relations. Individuals who believe their rights have been abridged or that they have been discriminated against in violation of any applicable law or regulation may contact the Department of Human Relations, telephone 353-3922.

The responsibility for overall coordination, monitoring and information dissemination about the University's program of equal opportunity, non-discrimination and affirmative action is assigned to the Department of Human Relations, telephone 353-3922.

ACADEMIC FREEDOM

Michigan State University adheres to the principles of academic freedom with correlative responsibilities as stated by the American Association of University Professors, the Association of American Colleges and other organizations:

1. The teacher* is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

*The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

2. The teacher is entitled to freedom in the classroom in discussing his or her subject, but should be careful not to introduce into teaching controversial matter which has no relation to the subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
3. The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When speaking or writing as a citizen, the teacher should be free from institutional censorship or discipline, but this special position in the community imposes special obligations. As a person of learning and an educational officer, the teacher should remember that the public may judge one's profession and institution by one's utterances. Hence, the teacher should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he or she is not an institutional spokesperson.*

HOLIDAYS

The University observes six legal holidays by closing offices and dismissing classes. They are: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas Day. In addition, the Friday following Thanksgiving Day, and as stipulated by the University based on the calendar, the working days preceding or following Christmas Day and New Year's Day are granted as holidays.

*"Academic Freedom and Tenure -- 1940 Statement of Principles and Interpretive Comments," AAUP Bulletin, Summer 1974, pp. 269-272.

EMPLOYMENT OF RELATIVES

The following policy was approved by the Board of Trustees on May 21, 1971 and revised on July 28, 1983.

Standards for employment and promotion of full-time and regular part-time employees at Michigan State University shall consist of ability, qualifications for the position and performance. Relationship (meaning a person connected by blood or affinity) to another individual employed by the University shall not constitute a bar to hiring or promotion; provided, however, that no employee shall be assigned to a unit or department under the direct supervision or control of a relative. Employment of relatives in the same unit or department or under the same supervisor is authorized only with the prior written approval of the head of the unit or department and the Office of the Provost or the Office of the Vice President for Finance and Operations, as appropriate.

INDEMNIFICATION

The following policy was approved by the Board of Trustees on March 15, 1974 and revised on September 2, 1983.

Michigan State University will support its trustees, officers, faculty, and staff when acting in the performance of assigned duties on behalf of the University. This policy also applies to students while engaged in approved academic programs and volunteers who are performing services for the University with prior written approval of the appropriate University official. The University will defend, save harmless, and indemnify such persons against any suit or proceeding, wherever brought, premised upon the fact that he or she is or was a member of the Board or an officer, employee, student, or volunteer of the University. The indemnity extends to expenses including attorney fees, judgments, fines, and amounts paid in settlement, actually and reasonably incurred, and with respect to any criminal action or proceeding where such person had no reasonable cause to believe that his or her conduct was unlawful. As a condition of indemnification, the trustee, official, employee, student, or volunteer is required to cooperate fully on a continuous basis with the University Attorney and the Office of Insurance and Risk Management.

RISK MANAGEMENT AND QUALITY ASSURANCE

The following policy was approved by the Board of Trustees on July 27, 1979 and revised on December 3, 1982.

General

The University shall establish a risk management program which includes a systematic and continuous identification of loss exposures, the analysis of these exposures in terms of frequency and severity probabilities, the application of sound risk control procedures and the financing of risk consistent with University financial resources.

Each person, regardless of official or unofficial status, who assumes or is assigned responsibility for the work or activities of others is administratively responsible for their safety during such work or activities. Investigation of accidents involving employees or students during work, class, or sponsored activities is the responsibility of the person whose job it is to supervise the person injured.

Patient Care

The University shall minimize the conditions which may produce an actual or alleged deficiency in patient care, with the purpose of achieving high standards of patient care and lowest practicable loss levels. The President is empowered to establish rules, regulations and procedures necessary to implement an effective quality assurance and risk management program.

Supervision of the general and patient care risk management system will be the administrative responsibility of the Office of Insurance and Risk Management.

ADVERTISING OR ENDORSEMENT OF COMMERCIAL PRODUCTS

The following policy was approved by the Board of Trustees on March 15, 1974 with the following resolution: RESOLVED that the "Policy Governing Advertising or Endorsement of Commercial Products" is approved effective March 15, 1974, with the understanding that this policy is not designed to prohibit the publication of research results on trade and proprietary products where these products may be identified only by their trade or proprietary name.

As a publicly supported institution of higher education engaged in scholarship, research and the dissemination of information, Michigan State University's objectivity must be zealously protected. All units and individuals acting in the name of the University have a responsibility and obligation to protect the integrity of the name of Michigan State University in all their official activities.

In keeping with this responsibility, it is the policy of Michigan State University that no official publication, statement or activity carried out in the name of the University, or that of any individual acting in an official University capacity, shall directly or by implication constitute endorsement of any commercial product, method or device.

Advertising of commercial products or services, or the use of the name of a commercial enterprise, may be permitted under conditions as herein stated in this policy:

Official University Activities

1. Acknowledgement by the University, at its discretion, of commercial donors who provide substantial resources which make possible structures, facilities or programs.
2. Acknowledgement of gifts and grants where such recognition is limited to information necessary to identify the donor and the activity supported.

Semi-Official University Activities

1. Programs, printed tickets or other media used in conjunction with sports and fine arts events sponsored by the University which may be attended by the public on a complimentary or fee basis, when the revenue from such advertising assists in supporting the events.
2. Conference programs whose cost is underwritten by a commercial donor, provided that acknowledgement of the donor's contribution is limited to a modest statement of identification.

Unofficial Activities

1. Publications for which students, employees or their organizations are responsible, but which are not issued in the name of, or are supported by, Michigan State University.

General Rules

1. It is expected that those responsible for any activity which meets the above criteria will exercise reasonable judgment and taste in the acceptance of advertising, and that products accepted for advertising shall not be recognized as health hazards.
2. The Office of the Secretary of the Board of Trustees shall be responsible for the conduct of the above policy, and requests for interpretations of, or exceptions from, the policy shall be referred to that office.
3. The above policy replaces the policy statement on "*Endorsement of Commercial Products*" approved by the Board of Trustees on May 25, 1956.
4. University Ordinance 30.00 relating to "Selling and Advertising," Article 6 of the Academic Freedom Report on "*Student and University Publications*" and University broadcast policies remain in effect.

BORROWING UNIVERSITY EQUIPMENT

University equipment is used only for University activities. Personal use or use for private gain is forbidden. University equipment must not be loaned to non-campus organizations except, under special circumstances, to departments of the state or federal government. University policy stipulates that equipment cannot be taken off-campus. Any exception to this policy can only be made with the approval of the department chairperson, director, or administrative head prior to written approval of the Secretary of the Board of Trustees. The department is responsible for loss of or damage to the item.

BUILDINGS

The closing time for most buildings other than residence halls is 10:00 p.m., Monday through Friday. There are exceptions for more frequently used buildings. Building hours are posted on the doors of most University buildings. University employees may work in their offices or laboratories beyond closing hours if they have authorized building keys and/or room keys to the areas occupied.

University facilities may not be used by outside groups

unless sponsored by Lifelong Education Programs or authorized by the Secretary of the Board of Trustees, telephone 353-4647.

QUESTIONNAIRES

In order to insure consistency in the reporting of data to state and federal agencies and to other colleges and universities, it is requested that all questionnaires requiring data for the entire University be referred to the Office of Planning and Budgets. This office will consider whether the data are readily available and whether they should be released to the inquiring agent. Data requests or questionnaires relating primarily to a sub-unit of the University may be filled out by that sub-unit, but any items which require all-University data should be cleared with OPB. Although the office is not always in possession of the necessary data, referral to the appropriate office or person can be made, or in cases where justifiable, arrangements may be made to collect the data.

SOLICITATION OF FUNDS

Canvassing, peddling, or soliciting are forbidden on the grounds and in the buildings of the University. Collections among faculty and other staff members are approved by the University only for the United Way and campaigns originating from the Office of the Vice President for University Development (Development Fund, Ralph Young Fund, etc.)

Members of the faculty/academic staff should refrain from taking orders for or selling any kind of tickets or merchandise, or soliciting funds for any purpose without written approval from the Office of the Secretary of the Board of Trustees.

MOVING EXPENSES

Rules regarding moving expenses are covered in detail in the *Manual of Business Procedures*, available in deans and departmental offices. Reimbursement for actual moving expenses is not an entitlement; it is an option to be agreed upon between the unit administrator(s) and the prospective faculty/staff member. Eligibility is extended to faculty (at the rank of instructor and above), academic, professional and

executive management staff who are either new or reassigned and are moving from outside a radius of thirty five (35) miles to the MSU work location.

UNIVERSITY TRAVEL

Rules regarding travel are covered in detail in the *Manual of Business Procedures*, available in deans and departmental offices. In broad terms, travel at University expense may be authorized for the promotion of teaching, scholarship, research and public service. Topics in the *Manual of Business Procedures* include domestic travel, local travel, foreign travel, travel advance, reimbursement chart, etc.

IV. ACADEMIC PERSONNEL POLICIES

APPOINTMENT BASIS

The following policy was approved by the Board of Trustees on February 17, 1944.

All academic personnel are appointed on either an academic year (AY) or annual year (AN) basis. An academic year appointment covers a full twelve month period with a nine-month assignment of duties and responsibilities, including related departmental meetings before registration in the fall and commencement and grade-reporting in the spring. The assignment period will normally be from September 16 through June 15 of the following calendar year.

An annual appointment is for a full-year assignment of duties and responsibilities including periods of annual leave and paid holidays.

In either case, salary is paid in twelve equal installments on the last working day of each month.

ACADEMIC PERSONNEL SYSTEM APPOINTMENTS: BASIC EMPLOYMENT COMMITMENT ON AN ACADEMIC YEAR BASIS

The following policy applies exclusively to individuals appointed or changed to AN basis on or after January 1, 1982.

All appointments, including those on an annual year (AN) basis, in the tenure system, the specialist job security system, and the librarian continuous appointment system, at Michigan State University involve the University making a continuing basic employment commitment to **academic year (AY) appointments only**. This policy is to ensure that any individual employment commitment to an annual appointment (AN) basis is justified by current unit missions, programmatic needs, and the related responsibilities of individual faculty and academic staff members. If unit missions and programmatic needs change, the annual appointment basis may no longer be appropriate and, consequently, the individual would then change to academic year basis, which is the basic employment commitment for the academic personnel systems designated above.

Subject to prior agreement between the Provost and relevant dean(s) or separately reporting director(s), there may be exceptions to this policy for specific colleges, departments,

other units, and individuals. These exceptions will be approved by the Provost prior to appointment via the regular procedure authorizing academic positions. Justification for such exceptions will be reviewed periodically based on the missions and programmatic requirements of colleges, departments, other units, and the specific responsibilities of individuals.

In some cases, because of unit requirements, a faculty or academic staff member may serve his/her entire career at Michigan State University on an annual appointment basis. In other cases, an individual may be shifted from an AY to AN or an AN to an AY appointment basis recurrently in recognition of periodic changes in unit missions and programmatic requirements. Some units may staff year-around mission and programmatic responsibilities (either part-time or full-time) by appointing individuals to summer quarter teaching, research, and service appointments on a repetitive basis rather than appointing a faculty or academic staff member on an AN basis. The provision of these assignment options requires Office of the Provost approval and are to be subjected to periodic reviews.

Individuals who are recruited into administrative positions at Michigan State University, and who are appointed also in the tenure system, specialist job security system, librarian continuous appointment system, e.g., deans, chairpersons, directors and coordinators, will be appointed with a continuing employment commitment to an **academic year appointment only**. However, annual appointment basis may be provided in recognition of administrative responsibilities and, in addition, there may be an administrative salary increment related to the administrative role. When such administrative responsibilities cease, these faculty and academic staff members will revert to the basic academic year appointment basis unless an AN appointment is specified by unit missions and programmatic requirements (see paragraph two, above) and any administrative increment in salary will cease. (For more information relating to faculty members with administrative duties, see policy entitled "Salary, Appointment, and Faculty Status of Faculty Members Who Assume Administrative Responsibilities.")

Commitments to an AN appointment basis, if approved by the Provost, may be without a specific ending date, for a specified period, subject to renewal or on a "rolling" basis, e.g., initially for a 3- or 4- or 5-year period, with automatic annual renewal for additional 3- or 4- or 5-year periods unless notice is provided otherwise. Such commitments must be approved by the appropriate chairperson(s), director(s), and dean(s) and the Provost and must be communicated in writing to the faculty or academic staff member prior to initial appointment on an AN basis. In accordance with normal procedures, shifts from an AN to AY appointment, or vice

versa, will occur only on January 1 or September 1.

In view of the fact that changes in unit missions, programmatic needs and individual responsibilities may, on occasion, result in shifts from an annual to an academic year appointment basis, all individuals appointed on an annual basis will be informed on the occasion of annual salary increases of the applicable salary for both an annual and academic year appointment basis. The AY salary is determined by deducting the administrative increment, if any, from the annual salary and computing an amount equal to 80 percent of the residual annual salary. Deans and separately reporting directors have the responsibility to ensure that unit administrators communicate this information to faculty and academic staff members. Such an arrangement will provide affected individuals a clear understanding of their salary status in the event of a shift from AN to AY appointments and/or a shift from an administrative assignment.

All letters of offer should indicate the University's basic employment commitment to appointments in the tenure system, specialist job security system, and librarian continuous appointment system is on an academic year basis only. If prior agreement is reached with the Provost and an annual appointment basis is appropriate, each individual should be informed (1) that his/her initial appointment basis is justified by specific unit missions and programmatic responsibilities and the faculty or academic staff member's related duties, and (2) that if unit mission and programmatic needs and the faculty or academic staff member's responsibilities change, then the annual appointment would change to an academic year basis which is the basic employment commitment to individuals appointed in the designated academic personnel system.

TEMPORARY APPOINTMENT

Visiting and temporary faculty members are appointed outside the tenure system on an academic year or annual basis with nine- or twelve-month duty assignments or for shorter periods. The Office of the Provost will endorse appointment recommendations to appoint individuals on a temporary basis (with ending date) with the rank of instructor, assistant professor, associate professor, and professor **only** in instances in which the primary recommending unit is an academic department (a department in a college or colleges) and/or a school and/or a college. (Faculty Status: Reserved for Appointments in Primary Academic Units of the University, effective January 11, 1980.) The titles of specialist, research associate, librarian, lecturer, and assistant instructor may be

used for temporary academic staff appointments of one year or less.

All temporary appointments have a specific termination date. The University has no obligation to provide reappointment or extension of a temporary appointment beyond the ending date. If reappointment is made, negotiation of the conditions of reappointment must originate with the basic administrative unit (department, school, institute, residential college, or other comparable academic unit.)

SUMMER SESSION

Faculty members appointed on an academic year basis may be assigned teaching, research or public service duties for the summer term in addition to fall, winter and spring terms. If so, they are compensated additionally at the rate of three percent of their previous year's salary for each week of full-time teaching for a maximum of ten weeks. (No benefit premiums or base retirement contributions are made on this pay.) Faculty members appointed on an academic year basis may teach the summer quarter in exchange for one of the other quarters providing:

1. The summer teaching is done before the term off;
2. The teaching and academic advising program of the department is not disadvantaged and
3. A Memorandum of Understanding is completed and signed in advance by the faculty member, chairperson, dean, and Provost.
4. Requests to exchange summer term duties for an assignment during the regular academic year must be agreed reasonably in advance of the summer term in which exchange duties are to commence.
5. Exchange duties may involve teaching, research, and public service responsibilities.
6. Exchange duties may involve a period of one year or longer periods subject to a memorandum signed in advance by the faculty member, chairperson, dean, and Provost. Such agreements must have an ending date, but additional arrangements providing for exchange duties may be renegotiated subject to approval of the relevant parties.

Faculty members serving on the Academic Council or on standing committees of the Academic Council are expected to be available fall, winter and spring terms unless specific alternative arrangements have been approved.

ADJUNCT AND CLINICAL APPOINTMENTS

The following statement was issued by the Office of the Provost in 1975 and was revised and reissued on March 23, 1984.

These are appointments of persons whose primary responsibility and income is outside the unit in which the appointment is made. Primary responsibility or source of income may be in another unit of the university or may be outside the university. The appointments are usually without salary and are made on an annual or less than annual basis. Reappointment is at the discretion of the administrative unit. Successive reappointments do not confer tenure or other continuing employment status.

Adjunct and clinical appointments may be made at any level from instructor to professor and also are applicable to other titles such as librarian, specialist, lecturer, etc. Persons holding such appointments are expected to have the educational background and/or experience required for the rank, and they must be interested in providing some degree of service to the unit even though they are not available for a regular appointment. Appointments are usually made on an "adjunct" basis unless the appointee holds a professional medical degree, in which case a "clinical" appointment is used.

The number of adjunct and/or clinical positions in each college will be recommended by the dean and established by the Provost. Permission to use the "clinical" title for individuals who do not hold a medical degree may be requested of the Provost by units if this title is more appropriate than the "adjunct" title in terms of the functions performed. The proposal to use the "clinical" titles rather than the "adjunct" titles must be made through regular administrative channels prior to any offers to individual appointees.

Certain benefits and activities are extended to individuals appointed as adjunct or clinical faculty members. Most of these privileges require an MSU Staff Identification Card. Further information and assistance can be obtained from the appointing department.

1. Areas in which the adjunct or clinical appointment carries faculty status:
 - Library privileges*

*MSU Identification Card required.

- Privilege of attending departmental, college and university faculty meetings
- Use of intramural facilities and Forest Akers Golf Courses*
- Purchase of athletic tickets at faculty rates*
- MSU Staff Identification Card
- Eligibility for travel accident coverage when authorized to travel on University business
- Eligibility for faculty membership in University Club
- Parking privileges (may purchase standard permit or, for limited use, may purchase guest permit)*
- Professional liability insurance coverage while acting for the University in accordance with the requirements of University policy (see 5, below, applicable to clinical faculty in the Colleges of Human Medicine and Osteopathic Medicine.)
- These appointments are "covered" by Unemployment Compensation; because little or no remuneration is involved, it is very unlikely that adjunct or clinical appointees would become eligible for compensation benefits.

2. Areas in which the adjunct or clinical appointment does not carry faculty status:

- Any insurance benefit or program offered by the University other than those listed under (1) above
- Tenure
- Voting in University elections
- Election to University committees

3. Arrangements which are to be made on an individual basis at the unit level:

- Amount of time to be spent in the unit
- Service on unit committees
- Service on graduate committees
- Voting at the unit level
- Office space to be provided by the unit
- Laboratory facilities to be provided
- Secretarial help or graduate assistant help to be provided
- Authority to teach, do research, or advise students for the unit

*MSU Identification Card required.

- Authority to publish as a member of the unit
 - Authority to propose, receive and implement research grants
4. Emeritus status for adjunct or clinical appointments
- Individuals who meet the following criteria may be recommended for emeritus status:
 - a. Be 62 years of age and have served as a clinical/adjunct faculty member for fifteen years, or
 - b. Have served as a clinical/adjunct faculty member for twenty-five years at any age

Based on an appropriate record of contribution as a clinical/adjunct faculty member, an individual may be recommended for emeritus status by the appropriate chairperson/director and dean to the Office of the Provost for final approval. The emeritus status is appended to the highest clinical/adjunct rank achieved by the faculty member, e.g., associate adjunct professor emeritus.

Emeritus clinical/adjunct faculty are not designated as official retirees of Michigan State University. Adjunct or clinical faculty appointments with an emeritus designation are limited to the following privileges:

- Library privileges
- Privilege of attending departmental, college, and University faculty meetings
- Use of intramural facilities and Forest Akers Golf Courses
- Purchase of athletic tickets at faculty rates
- Eligibility for faculty membership in University Club
- Parking privileges (may continue to purchase standard permit or guest permits)

5. Malpractice insurance coverage in teaching CHM/COM students.*

*Memorandum distributed to clinical faculty in the Colleges of Human and Osteopathic Medicine from Deans W. Donald Weston and Myron S. Magen on October 31, 1983.

The general principle of such coverage is that the University will participate with the physician and his/her own attorney and malpractice insurance carrier in the defense of a legal suit and be responsible for the payment of any award that should be made against the physician, if all the following conditions are met:

1. The lawsuit is premised upon the negligence of an MSU student, including MSU residents and fellows, and the liability of the physician is derived from the student's negligence, i.e., is vicarious or secondary;
2. The student's participation involved a level of delegated responsibility which could be reasonably expected of medical students at a similar level of training and experience at the time of his/her assignment;
3. The negligence occurred during the course of an MSU-sponsored educational program in which the physician and/or patient was participating.

Such coverage is extended to all physicians involved in teaching MSU students and trainees in an approved experience, not only those who are members of the on-campus clinical faculty.

The University is generally not responsible for such coverage for residents or fellows who are supported by individual hospitals or a hospital-medical school educational corporation, nor does coverage extend to instances where an MSU student, resident or fellow is "moonlighting." Professional liability coverage is provided by these organizations.

As is the case with all such coverage, it is important that every incident involving an MSU student, resident, or fellow that may potentially develop into a malpractice suit be brought to the attention of the University as soon as possible and that the University be notified within 5 days after the physician is notified that a suit has been initiated. Notification should be sent to the Office of the Dean, in writing, including all details that are known at the time. It is essential that physicians cooperate fully with the University Office of Legal Affairs and Office of Risk Management.

The contribution that clinical faculty make to teaching programs is highly valued. MSU is committed to provide medical liability coverage for participation in such educational activities and will continue to assure such protection. The appropriate dean should be contacted for questions or additional information.

EMERITUS

Members of the faculty and administrative staff with academic rank who leave the University with official retirement status are granted certain privileges and the title "emeritus." The designation "emeritus" is appended to the rank held at retirement, e.g., professor emeritus, dean emeritus.

Persons with the emeritus title are entitled to attend Academic Senate meetings with voice but without vote, to march in academic processions such as commencement, to receive the MSU News-Bulletin, to avail themselves of the libraries, to receive on application a faculty vehicle permit, to represent the University on appointment at academic ceremonies of other institutions, and, in general, to take part in the social and ceremonial functions of the University. (See section on Faculty/Academic Staff Benefit and Retirement Programs.)

MEDICAL EXAMINATION

Medical examinations are required for all academic employees with continuing appointments. The examination is given at the Michigan State University Health Center on campus; or if the prospective employee is unable to be in East Lansing for the examination, arrangements may be made through the Office of Academic Personnel Records to have the examination made by the prospective employee's personal physician.

PAYROLL PROCEDURES

The following items must be furnished to the Payroll Division of the Office of the Controller before a new faculty/academic staff member can be put on the University payroll.

1. **SOCIAL SECURITY NUMBER.** Social security numbers must be verified by the Payroll Office, 350 Administration Building, prior to the first pay date.

Verification may be completed by presenting the social security card to the Payroll Office or by sending a photocopy to that office.

Note: Foreign nationals are required to obtain and furnish Social Security numbers to be used for payroll identification numbers, even though some (those who present F or J visas) may be exempt from provisions of the Social Security Act.

2. EMPLOYEE WITHHOLDING ALLOWANCE CERTIFICATE (FORM W-4). The W-4 form authorizes the University to recognize the appropriate exemptions when calculating withholding taxes.

New faculty/academic staff members should at the same time complete the appropriate forms in the Staff Benefits Office to participate in such programs as employee-paid life, health care coverage, accidental death and dismemberment, and base and supplemental retirement benefits. All benefit programs are described briefly in the Faculty/Academic Staff Benefit and Retirement Programs section of this handbook. Additional information is available from the Staff Benefits Office, 140 Nisbet Building.

JURY DUTY

The University recognizes the civic responsibility of faculty/academic staff members to serve jury duty and makes provision for them to perform such duty without loss of pay.

The University will compensate the faculty/academic staff member called to jury duty for the difference between the pay received from the court and the normal take-home pay. The faculty/academic staff member's fringe benefits will continue. The faculty/academic staff member must notify his/her department chairperson of the call to jury duty as soon as it is received and must provide proof of the jury duty pay to the payroll department. The faculty/academic staff member is expected to report for regular University duty when temporarily excused from attendance at court.

Full cooperation is expected between the faculty/academic staff member, unit administrator and department(s) involved to insure minimal disruption in the instructional and service responsibilities of the unit.

IDENTIFICATION CARDS

All members of the faculty and academic staff are encouraged to obtain identification cards. Similar identification cards can be issued to spouses upon request. The identification cards are useful for campus privileges.

To obtain an ID card, the faculty/academic staff member and spouse should secure authorization cards from the faculty/academic staff member's administrative unit. These should be presented at the ID Card Office, 110 Administration Building.

FACULTY RIGHTS AND RESPONSIBILITIES*

The following policy was approved by the Board of Trustees on July 27, 1984.

The *Bylaws of the Michigan State University Board of Trustees* state that "the Constitution (of the State of Michigan) confers upon the Board of Trustees the freedom, power, and responsibility to develop a free and distinguished university and to promote the welfare of mankind through teaching, research, and public service."^{1,2,3}

As the primary functions of an academic community, learning, teaching, scholarship, and public service must be characterized by a fundamental commitment to academic freedom and maintained through reasoned discourse, intellectual honesty, mutual respect and openness to constructive criticism and change. Faculty members, as central to this community, serve as scholars pursuing the search for knowledge and its free expression, as teachers instructing students, and as professionals and citizens contributing special knowledge and skills through public service and community participation. In the performance of all these functions faculty members are held accountable to the University, in accordance with established policies and procedures, by the Board of Trustees which, as an elected body, is responsible to the people of the State of Michigan.⁴In order to carry out the mission of the University, faculty members, as members of both the academic and the broader public community, have the right to a clear statement of academic freedom, tenure, and other fundamental faculty rights and responsibilities. The purpose of this document is to acknowledge these fundamental rights and responsibilities.⁵

*Footnotes are located at the end of policy statement.

Academic Freedom and Responsibility

Michigan State University endorses academic freedom and responsibility as essential to attainment of the University's goal of the unfettered search for knowledge and its free exposition. Academic freedom and responsibility are fundamental characteristics of the University environment and are always closely interwoven and at times indistinguishable. Academic freedom and responsibility are the twin guardians of the integrity and quality of universities. The University looks to its faculty members to exercise their rights responsibly and to meet their obligations fully as professionals. Faculty acceptance of their responsibilities to students, colleagues, the scholarly community, and the public explains in great part why society historically has accepted the concept of academic freedom and has afforded its protection through the institution of academic tenure.

For faculty members, the principal elements of academic freedom include:

1. The right, as teachers, to discuss in the classroom any material which has a significant relationship to the subject matter as defined in the approved course description;
2. The right to determine course content, grading, and classroom procedures in the courses they teach;
3. The right to conduct research and to engage in creative endeavors;
4. The right to publish or present research findings and creative works;
5. The right to engage in public service activities; and
6. The right to seek changes in institutional policy through established University procedures and by lawful and peaceful means.

Academic freedom carries with it responsibilities. For faculty members, the principal elements include:

1. The responsibility to carry out assigned teaching, research, and public service duties in a professional manner and in keeping with University policy;
2. The responsibility, as teachers, to refrain from introducing matters which are not consistent with their teaching duties and professional competence and which have no significant bearing on the subject matter of the course as approved under University procedures;
3. The responsibility to pursue excellence and intellectual

honesty in teaching, research, and other creative endeavors and in public service activities; and in publishing or presenting research findings and creative works;

4. The responsibility to encourage students and colleagues to engage in free discussion and inquiry; and to evaluate student and colleague performance on a scholarly basis;
5. The responsibility to work in a collegial manner with appropriate individuals and bodies to encourage the free search for knowledge; its free exposition, and the University's continuing quest for excellence; and
6. The responsibility to differentiate carefully their official activities as faculty members from their personal activities as citizens and, when the situation warrants, to make it clear that, when speaking as private citizens, they do not speak for the University.

The above list provides a summary outline of the principal elements of academic freedom and responsibility. More detailed and explicit definitional statements applicable to specific faculty rights and responsibilities are set forth below under the following headings: Academic Tenure, Academic Governance, Teaching, Research and Creative Activity, Public Service, Relations with Colleagues, Relation to the University and the Community, and Resolution of Conflicts.

Academic Tenure

The faculty have a right to expect that the University's tenure system is characterized by high integrity and a responsibility to participate in the operation of the tenure system seriously and in good faith. All decisions involving tenure system recommendations shall be made in conformity to the University-approved policies and procedures that govern the tenure system.

Academic Governance

The faculty have a right and responsibility to participate in the establishment and functioning of a governance system at the department or school, college, and University levels in accordance with Michigan State University *Bylaws for Academic Governance* to ensure academic freedom and the promotion of the goals of the institution. The University looks to the faculty for recommendations on various academic personnel matters including faculty appointments, reappointments, promotions, the award of tenure, and salary

increase guidelines; on the development of new academic programs and the modifications or discontinuance of existing programs; on academic curricula and standards; on definition of University mission and goals; on policies governing research and creative endeavors; on the formulation of annual budget requests and allocations; and on the selection and review of specified administrative officials, as well as other issues that concern the general welfare of the University, including student affairs and the academic environment.

Through the academic governance system, the University accords a central role to faculty peer review in the departments or schools, colleges, and the University. Faculty have a responsibility to participate in peer review procedures to ensure personnel recommendations which promote excellence. In accordance with established departmental or school, college, and University policies, faculty members have the right to be informed of the standards, criteria, procedures and other conditions which affect all aspects of their appointment in the tenure system, to be evaluated in a fair, objective manner, and to receive timely notice regarding their future appointment status at Michigan State University.

Teaching

Because the faculty's role in the educational process is primary and central, the faculty member, as teacher, has the responsibility to make every effort to be accurate, objective, and effective. In the classroom, the teacher shall address topics and present materials consistent with the teaching assignments as defined in the approved course objectives.

The teacher has the responsibility to encourage the pursuit of learning by students by manifesting the best academic standards of the discipline or profession. To accord students respect as individuals, the teacher shall seek to establish a relationship of mutual trust and to establish an appropriate role as an intellectual guide, counselor and mentor, both in and out of the classroom. If problems arise in the relationship between teacher and student, whether on personal matters or on instructional materials or methods, both teacher and student shall attempt to resolve them in informal, direct discussions as between well-intentioned, reasonable persons.

The teacher has the responsibility not to exploit students for private advantage; the teacher also should avoid any form of discrimination or harassment, with the understanding that racism, sexism, and other forms of bias preclude the establishment of an effective learning environment.

The teacher has the responsibility to foster and require honest academic conduct. The teacher has authority and

responsibility for grades and shall assure that the evaluation and assessment of academic performance reflect each student's true achievement by good faith application of criteria appropriate to the field of study and the course. The teacher shall further protect academic freedom for faculty and students by acknowledging the contributions of students to professional work of faculty members and by assuring that each student is free to voice opinions openly and to exchange ideas free from retaliation. Teachers have the responsibility to observe the University, college and department/school policies regarding such matters as the statement of course objectives, examination policy, office hours, course evaluations, and other provisions of *The Michigan State University Code of Teaching Responsibility*.

Research and Creative Activity

To fulfill the University's mission of advancing and disseminating knowledge for the improvement of the welfare of the public, faculty members have a responsibility to conduct research and engage in creative activity in their area(s) of appointment and professional competence. Recognition of professional competence and definition of area(s) of appointment occur in the basic academic units (departments, schools, non-departmentally organized colleges) through procedures in which established systems of peer review play a central role.

As scholars, faculty members have the right and responsibility to create, seek, and state knowledge freely and openly and to strive for scholarly excellence. The scholar has the right and responsibility to exercise critical self-discipline and judgment in generating, using, extending, and transmitting knowledge, to adhere to the highest standard of intellectual honesty, and to oversee and evaluate the research and creative efforts of students and subordinates. Faculty shall conduct all research and creative activity in a manner consistent with accepted scholarly standards and in conformity with legal, professional, and University codes, policies, and regulations governing research and creative endeavors.

Public Service

As the land-grant university of the State of Michigan, Michigan State University is committed to public service as an integral aspect of its mission; this entails a commitment to the creation, dissemination, and application of knowledge. Public service involves the application of the faculty member's

professional training and competence to issues and problems of significance to constituencies and it is related to academic program objectives of the unit(s) in which the faculty member is appointed. Faculty members engaging in public service activities enjoy the same rights and have the same responsibilities which were previously stated as pertaining to them as teachers and scholars.

Faculty members, in accordance with University policy and regulations, can serve as valuable resources and provide valuable services by working with government, industry, public organizations, and others off-campus. Faculty members have the right to engage in a limited amount of outside work for pay in accordance with University policy and regulations.

Relation with Colleagues

As colleagues, faculty members have rights and responsibilities that derive from common membership in a community of scholars. Faculty have the responsibility to respect and right to defend the free inquiry of associates and, in the exchange of ideas and criticism, the responsibility to respect the views and rights of others. Faculty members shall acknowledge the contributions of colleagues to their own work. In the evaluation of the professional performance of a colleague, the faculty member shall provide an honest and objective appraisal in accordance with established department/school, college, and University criteria. The faculty member shall foster collaboration with and support of colleagues. Acts of racism or sexism, including harassment and other forms of bias and discrimination, violate University policies, and are unacceptable.

Relation to the University and the Community

As members of Michigan State University, the faculty have a primary responsibility to strive for academic excellence in instruction, research, and public service. When the situation warrants, faculty members acting or speaking as citizens have a responsibility to make clear that these actions and utterances are entirely their own and not those of the University or any component of the University. Faculty members have the responsibility not to abuse their standing within the University for personal or private gain nor use University employees, facilities, equipment, supplies, or other property for personal or private business.

As a member of the wider community, the faculty member has the rights and obligations of any citizen. In exercising these

rights, the faculty member speaks only as an individual, either as a professional scholar with a field of special competence or as a private citizen.

Faculty members should be mindful that membership in the academic community inevitably involves identification and association with the University and that the University often is judged by the actions, performance, attitudes and expressions of its faculty members. Faculty members normally do not face a conflict between the exercise of their rights as a citizen and their responsibilities as a faculty member. If citizenship activities interfere with faculty responsibilities, faculty members should request a leave of absence, resign from their appointment, or limit those activities to ensure a complete discharge of faculty responsibilities.

Resolution of Conflicts

The University is committed to respect the rights of the faculty. Faculty members who believe that their rights have been violated have the right to seek redress through the University's established procedures for the hearing and resolution of complaints. Faculty members have the obligation to meet their responsibilities as defined in this document and in those cited in Appendix A to help the University maintain academic excellence and realize its goals. Faculty members accused of failing to meet these responsibilities have a right to be informed of the accusations and accorded timely access to University procedures to determine whether or not the accusations are valid and any sanctions justified.

Amendment Procedures

Amendments to this document may be initiated by any individual member of the faculty and shall be submitted to the Office of the Provost and the University Committee on Faculty Affairs for consideration and action in accordance with Section 4.7.3 of the *Bylaws for Academic Governance*.

Footnotes:

- 1 The terms, "faculty" or "faculty members," as used in this document, apply to individuals appointed in the tenure system with the rank of instructor through professor.
- 2 *Bylaws of the Board of Trustees* , as amended January 24, 25, 1980, *Preamble* , page 1.
- 3 "The Board of Trustees, the administration, and the faculty carry out their respective responsibilities not as isolated entities, but as major and primary constituents of the total University organization and structure which remain mutually independent and must be supportive of each other's purposes, functions, and obligations. It is within this context that the rights and responsibilities of the faculty are to be construed." (*Bylaws of the Board of Trustees* , as amended January 24-25, 1980, Article 7, page 7.)
- 4 "The Board of Trustees, elected by the voters of the State and responsible to all the people of Michigan, exercises the final authority in the government of the University, within the limits fixed by the State Constitution. In exercising its responsibility, the Board delegates to the President of the University and through the President to the faculty, appropriate authority and jurisdiction over matters for which they are held accountable by the Board. These matters include educational policy and the development of a strong and efficient organization with which to accomplish the objectives of the University." (*Bylaws of the Board of Trustees* , as amended January 24-25, 1980, *Preamble*, page 1.)
- 5 Some faculty rights and responsibilities referred to in this document are stated elsewhere (see Appendix A).

APPENDIX A

Michigan State University Policy Documents Generally Applicable to Faculty Rights and Responsibilities:

- Bylaws of the Board of Trustees
- Board of Trustees Policy Manual
- Bylaws for Academic Governance
- The University Catalog
 - Academic Programs
 - Description of Courses
 - Graduate Study
- Sponsored University Programs for Research and Education
- Academic Freedom for Students
- Bulletin (Schedule of Courses)
- Faculty Handbook
- Graduate Student Rights and Responsibilities
- Ordinances
- Faculty and Staff Benefits
- Student Handbook
- Traffic Regulations
- Travel Regulations
- Manual of Business Procedures
- Medical Staff Bylaws, Colleges of Human and Osteopathic Medicine
- Medical Student Rights and Responsibilities
- Bylaws of the College or Colleges
- Bylaws of the Department(s) or School(s)

Policy Documents Specifically Applicable to the Statement on Faculty Rights and Responsibilities:

- Abrogation of Faculty Responsibility (*Faculty Handbook*)
- Academic Advisement, Enrollment, Registration and Counseling (*Faculty Handbook*)
- Academic Freedom (*Faculty Handbook*)
- Academic Freedom for Students* (especially Article 2)
- Academic Programs: Michigan State University*
- Additional Work for Pay (*Faculty Handbook*)
- Anti-Discrimination: Policy and Procedures*
- Appointment, Reappointment, Tenure, and Promotion
 - Recommendations (*Faculty Handbook*)
- Bylaws for Academic Governance*
- Bylaws of The Board of Trustees* (especially the Preamble and Article 7)
- Bylaws of the Medical Staff, Michigan State University*

Code of Teaching Responsibility (*Faculty Handbook, Academic Programs*)

Development of Instructional Materials (*Faculty Handbook*)

Dismissal of Tenured Faculty for Cause (*Faculty Handbook*)

Equal Opportunity and Non-Discrimination (*Faculty Handbook*)

Final Examination Policy (Schedule of Courses)

Freedom of Expression (Board of Trustees Policy Manual)

Integrity of Scholarships and Grades (*Academic Programs, General Information, General Procedures and Regulations*)

Interim Faculty Grievance Procedure (*Faculty Handbook*)

Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University

Medical Service Plan for Colleges of Human Medicine and Osteopathic Medicine (*Faculty Handbook*)

Mission Statement, Michigan State University

Non-Tenured Faculty in the Tenure System (*Faculty Handbook*)

Ordinance on Examinations (*Ordinance #18.00, Michigan State University*)

Overload Pay (*Faculty Handbook*)

Patents (*Faculty Handbook*)

On Preventing Conflicts of Interests in Government-Sponsored Research at Universities (*Faculty Handbook*)

Protection of Human Subjects (*Faculty Handbook*)

Regulatory Guidelines for Research (*Faculty Handbook*)

Rights of Students to Receive Instruction (*Faculty Handbook*)

Sponsored Research and Creative Endeavor (*Faculty Handbook*)

Sponsored University Programs for Research and Education

Student Instructional Rating System (*Faculty Handbook*)

Student Records (*Academic Programs, General Information section*)

Tenure of Appointment at Michigan State University (*Faculty Handbook*)

Use of Animals in Research (*Faculty Handbook*)

THE TENURE SYSTEM

The following policy was approved by the Board of Trustees on May 15, 1952. Revisions were approved by the Academic Council on February 4, 1986 and by the Board of Trustees on April 4, 1986.

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 gross misconduct such as violation of professional ethics or refusal to perform reasonable assigned duties, incompetence, voluntary withdrawal or actions which are inimical to the interests of the University.*

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.

*The final sentence has been amended here from the language of the Dismissal Procedure adopted by the Board on June 24, 1977 (See Dismissal of Tenured Faculty for Cause).

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 one 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, a faculty member initially appointed at the rank of *associate professor* may be granted tenure from the date of appointment.

An *assistant professor* 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.

*Prior to September 1, 1986, an *associate professor* who had not previously served at Michigan State University was appointed for a probationary period of three years. Upon reappointment as an *associate professor*, tenure is granted.

**Prior to September 1, 1986, an *assistant professor* who had not served previously at Michigan State University was appointed for an initial probationary period of three years.

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*, December 1985, p. 65). 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*.

*Prior to September 1, 1986, an *instructor* was appointed initially for a two-year probationary period, followed by a second two-year probationary period and by an additional probationary period of three years. If not then promoted to the rank of *assistant professor*, the individual is ineligible for an additional reappointment unless a special one-year extension is granted.

**"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."

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 inadvisable.
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.)

OPERATING PRINCIPLES OF THE TENURE SYSTEM

1. Appointment periods for tenure purposes are calculated from September 1 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. Foreign nationals (non-citizens of the United States) may be appointed within the tenure system; however, they are not to be given indefinite appointment with tenure unless they have signified their intention of, and have moved in the direction of, acquiring citizenship. Canadian citizens may be exempt from this regulation and upon specific approval by the Board of Trustees, other exemptions may be made.
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.

AMENDMENTS TO THE TENURE RULES

Amendments to these Tenure Rules shall require the approval of the faculty and the Board of Trustees.

TENURE ACTION AND PROMOTION

Recommendations for actions under the tenure system and for promotions in rank are made in the department according to unit, college and university bylaws, policies and procedures. Recommendations which do not involve the award of tenure are reviewed successively by the dean, the provost and the president, who makes the final decision. Recommendations

which involve the award of tenure are reviewed successively by the dean, the provost, and the president, who makes the final recommendation to the Board of Trustees for action. Since extensive information is needed to make an adequate evaluation of the performance of each faculty member to be recommended for reappointment, tenure, or promotion, a comprehensive form has been developed which provides space for reporting activities such as instruction--undergraduate, and graduate; academic advising; research--creative and scholarly; public services--extension and/or continuing education; international program assignments; committee and administrative services; and other evidence of merit. The expectations for each individual are dependent on the individual's particular assignment and the missions of the unit. Sample copies of the form are available in the Office of Academic Personnel Records, 312 Administration Building, telephone 355-1526.

COLLEGE-LEVEL REAPPOINTMENT, TENURE AND PROMOTION COMMITTEES

The following statement was issued by the Office of the Provost on November 8, 1982.

The colleges of Michigan State University may establish peer review committees to review department/school reappointment,

promotion and tenure recommendations. Several of the colleges have established such college, in addition to department/school, peer review committees for the purpose of providing advice to the dean in these personnel matters. Approaches used by various colleges, including committee composition, are variable.

In the event that a college-level peer review committee is established in a particular college, the Dean of the college shall provide faculty members with information concerning the composition, role and functions of the college-level reappointment, promotion and tenure committee. At a minimum the following information must be provided: (a) the composition of the committee, including methods of selection and the names of specific individuals involved and their University roles, i.e., administrators or regular faculty; (b) the standards and criteria used by the committee in reviewing department/school recommendations; (c) the procedures used by the committee in rendering advice to the Dean, i.e., a ranking or rating procedure or a more qualitative assessment of unit recommendations; and (d) the information or materials made available to the committee to conduct the reviews. The Dean also is encouraged to provide information on any other matters deemed relevant relating to the role and function of the college-level review, reappointment, promotion and tenure committee.

GUIDELINES FOR ACADEMIC UNIT PEER REVIEW COMMITTEE COMPOSITION AND EXTERNAL EVALUATIONS

The following statement was issued by the Office of the Provost on December 2, 1987.

University Policy

Each academic unit (department, school, non-departmentally organized college) is charged to establish procedures so that its faculty can provide advice to the academic administrator regarding recommendations for various academic personnel actions, e.g., merit salary increases, appointments, reappointments, promotion, and tenure. Procedures adopted should provide a role for peer review committees. For example, Section 2.1.2.1., of the Michigan State University *Bylaws for Academic Governance*, states that a department chairperson or school director "is responsible for the educational, research, and service programs, budgetary matters, physical facilities, and personnel matters in his or her jurisdiction, taking into account the advisory procedures of the unit."

The policy statement on non-tenured faculty in the tenure system also states that the bylaws of each basic administrative unit "shall provide for a designated group to make recommendations with respect to reappointment, tenure, or promotion (Michigan State University *Faculty Handbook*, December 1985 edition)."

Guidelines for Peer Review Committee Composition

These guidelines have been developed in consultation with and the concurrence of the Council of Deans, the University Committee on Faculty Affairs, and the University Committee on Faculty Tenure (for the latter on tenure matters only).

The members of the Council of Deans agree to seek implementation of the guidelines set forth below within the specific bylaws or other procedures established for the applicable peer review process in academic units within their area of responsibility:

1. Eligibility for membership on academic unit peer review committees should be limited to individuals appointed in the tenure system at Michigan State University and/or at peer higher educational institutions.
2. Eligibility for membership in academic unit peer review committees, to the fullest extent possible and particularly for personnel actions involving the award of tenure, should be limited to individuals holding tenured faculty appointments at Michigan State University and/or at peer higher education institutions.
3. Women and minority faculty members should participate in academic unit peer review committee processes for all academic personnel actions referenced above. Specific procedures for involvement should be developed as consistent with University procedures, college/academic unit bylaws and practice and may include, but are not limited to, the following possible arrangements:
 - a. Regular peer review committee membership.
 - b. Service as a consultant to the peer review committee (with or without vote).
 - c. Participation in the pool of individuals from both within and outside Michigan State University identified by the academic unit, in accordance with regular procedures, to evaluate the candidate's record.
 - d. Service as a member of or a consultant to (with or without vote) a college-level peer review

- committee (if such a body exists).
- e. Participation in the pool of individuals from both within and outside of Michigan State University identified by the college-level peer review committee and/or dean to evaluate the candidate's record.

External Evaluations: A Recommendation

It is noted that many departments, schools and colleges at Michigan State University have academic personnel action (normally promotion and tenure) recommendation procedures which include an evaluation role (external assessment letters) for tenure system faculty appointed in other academic units in the applicable college and/or Michigan State University or who may hold faculty or other applicable appointments in other universities or institutions. It is not intended to stipulate that such external evaluation procedures must be incorporated in all academic unit peer review procedures but, rather, to encourage academic units to consider a possible adoption of these procedures to ensure that individuals recommended have an achievement and performance level which is comparable with faculties of peer institutions.

APPOINTMENT, REAPPOINTMENT, TENURE, AND PROMOTION RECOMMENDATIONS

The following statement is sent annually by the Office of the Provost to deans, directors, and chairpersons on the occasion of reappointment, promotion, and tenure decision recommendations. It is reviewed annually and advice is requested from the University Committee on Faculty Affairs and the University Committee on Faculty Tenure. Any changes will be sent to deans, directors, and chairpersons to incorporate into departmental and unit copies of the Handbook and for distribution to the faculty.

MSU is a premier land-grant University, an AAU University, and is committed to quality undergraduate education. MSU aspires to improve continuously and this requires that academic personnel decisions must build a progressively stronger faculty. This process begins with vigorous, effective recruitment and selection of new faculty, followed by systematic encouragement and facilitation of the professional growth of these faculty members, followed by the application of demanding standards and the use of rigorous evaluation procedures when reappointment, tenure, and promotion recommendations are formulated. Our policies, procedures, criteria, and decisions on recruitment, reappointment, award of tenure, promotions and salary increases must be guided by the goal of increasing the academic excellence of MSU. The future academic quality of MSU will be determined in large measure by these decisions.

After a review of the mission and personnel needs of the unit, fiscal constraints and any other relevant factors to determine if the applicable position(s) is (are) to be retained, then recommendations for appointment, reappointment, and tenure are initiated following rigorous evaluation at the unit level, including peer review. Recommendations for promotions of individuals with tenure also are to be initiated following rigorous evaluation at the unit level, including peer review. All involved in these deliberations must apply high standards of performance. Chairpersons and directors make the unit level recommendations. Unit level recommendations are subject to review and approval or disapproval at the college and University levels. Recommendations are to be based on explicit unit criteria

and quality evaluations that are consistent with college and University policies.

As provided in the 1978 *Bylaws for Academic Governance*, the faculty, operating in the advisory mode, is to provide advice to the chairperson/director as ascribed in the unit bylaws. Each department, school, and comparable unit is required to have procedures and criteria that are clearly formulated and relevant on which to evaluate the performance of faculty members (see Statement on Non-Tenured Faculty in the Tenure System, *Faculty Handbook*). The 1978 *Bylaws for Academic Governance* includes the following statement that is of fundamental importance.

...The chairperson or director has a special obligation to build a department or school strong in scholarship, teaching capacity, and public service. (2.1.2.1.)

The chairperson or director makes his/her judgment taking into consideration peer evaluations, including their quality and other supporting data and information. The chairperson or director is responsible as an individual for the recommendations he/she makes.

Unit criteria for appointment, reappointment, tenure, promotion, and salary increases must serve the objective of improving academic strength and quality, taking account of the mission of the department, college, and the University. Deans review independently each recommendation and approve or disapprove, taking into account unit, college, and University criteria and other factors such as quality, progress, resources, program needs, percent of tenured personnel in the unit, and any other relevant University policies (see below).

The Office of the Provost will review recommendations for reappointment, awards of tenure, and promotions primarily in terms of the evidence for the effectiveness of each individual in performance of academic duties.

In addition, the following elements will be considered. (Order is not necessarily indicative of priority or weight of these elements):

1. In each case, solid evidence of consistent and persistent professional improvement and effectiveness at MSU sufficient to serve as the basis for predicting continuing professional effectiveness and growth for the remainder of the individual's academic career.
2. Standards of the college and department/school for recommendations of appointments, reappointments, awards of tenure, and promotions.
3. Progress of the unit in improving its overall quality.
4. Progress on affirmative action plans.

5. Evidence of actual and potential external competition for employment in the Big Ten or institutions of at least comparable quality.
6. The history of salary increases awarded the individual relative to others.
7. Fiscal constraints.
8. The extent to which program commitments require the continuation of faculty (relevant primarily for decisions on reappointments and awards of tenure).
9. The proportion of the faculty in the University, the college, and the department (school) tenured and the age distribution of the faculty tenured (relevant primarily for decisions on reappointments and awards of tenure).

Each dean or director is to insure that unit administrators in their college make clear to the concerned faculty the procedures and criteria that will be used in making tenure system reappointment and promotion recommendations. Forms for "Recommendation for Tenure Action or Promotion" outline many of the activities that are relevant to decisions on promotion and reappointment. As stated in Sec. 2.1.2.1. of the *Bylaws for Academic Governance*, academic administrators have the special obligation to build academic units strong in scholarship, teaching capacity, and public service. To discharge this responsibility, academic administrators must apply selective, rigorous standards in making reappointment, tenure, and promotion recommendations. The achievement and performance level required must be competitive for faculties of leading land-grant universities and member institutions of the Association of American Universities (AAU).

1. Reappointment with award of tenure: Each tenure recommendation should be based on a clear record of sustained, outstanding achievements in teaching, research and/or public service.
 - a. For the assistant professor who has established such a record, the tenure recommendation is effective upon reappointment after two or more cumulated probationary appointments in the tenure system, if the individual is reappointed again.
 - b. For the faculty member appointed initially as associate professor in the tenure system who has established such a record, the tenure recommendation is effective upon reappointment after one three-year probationary appointment, if the individual is reappointed.
2. A recommendation for promotion from assistant professor to associate professor in the tenure system should be based on several years of sustained,

outstanding achievements in teaching, research and/or public service as assistant professor, consistent with performance/levels expected at a premier, land-grant AAU University.

A recommendation for promotion from associate professor to professor in the tenure system should be based on several years of sustained, outstanding achievements in teaching, research, and/or public service as associate professor, consistent with performance/levels expected at a premier, land-grant AAU University.

The reasons for a reasonably long period of time in rank prior to promotion are:

- a. To provide a firm basis in actual performance for predicting long-term, high quality professional effectiveness, and
- b. To provide a firm basis in actual performance under Michigan State University standards to permit endorsement of the individual as an expert of national stature.

Bearing in mind the University's continuing objective to improve its faculty, the unit and college must refrain from doubtful recommendations of reappointment, tenure, or promotion. The dean is to evaluate carefully each recommendation to insure that it is well grounded and fully justified.

NON-TENURED FACULTY IN THE TENURE SYSTEM

The following policy was approved by the Board of Trustees on April 17, 1970.

Recommendations for actions affecting the appointment, reappointment or promotion of faculty members under the tenure system must be in accord with the provisions of the tenure system.

At the level of the basic administrative unit, judgments on non-tenured faculty with respect to professional competence (including teaching ability), academic potential, and the needs of the department are made by the responsible administrator after consultation with the tenured faculty and/or other duly constituted group specified in the bylaws of that basic administrative unit. Recommendations for reappointment or promotion which do not involve the award of tenure are

reviewed and must be approved successively by the dean, the provost and the president, who makes the final decision. Recommendations for reappointment or promotion which involve the award of tenure are reviewed and must be approved successively by the dean, the provost, and the president, who makes the final recommendation to the Board of Trustees for action.

Each basic administrative unit shall base its judgments on criteria and procedures that are clearly formulated, objective and relevant. These criteria and procedures shall be known to all members of the basic administrative unit. If appropriate, the responsible administrator may supplement information required for these judgments by consulting with representative non-tenured faculty, students and/or qualified individuals outside the basic administrative unit. Review procedures shall be described in its bylaws and shall include a means by which the faculty member is evaluated and informed annually of his/her progress. These bylaws shall provide for a designated group to make recommendations with respect to reappointment, tenure, or promotion. Procedures shall also exist by which the faculty member may confer with this sub-group before a decision is made in his/her case.

Decision not to reappoint a non-tenured faculty member does not necessarily imply that the faculty member has failed to meet the standards of the University with respect to academic competence and/or professional integrity. This decision may be contingent, wholly or in part, upon the availability of salary funds and/or departmental needs. The decision not to reappoint a non-tenured faculty member does not require action by the Board of Trustees. In the case of a non-tenured faculty member within the tenure system, notification is required as set forth in the section entitled Operating Principles of the Tenure System, above. Such decision is made at the level of the basic administrative unit. Upon written request of the faculty member, the administrator of the basic administrative unit making the decision shall transmit in writing the reasons for the decision.

If a non-tenured faculty member believes that the decision not to reappoint has been made in a manner which is at variance with the established evaluation procedures, he/she may, following efforts to reconcile the differences at the level of the basic administrative unit and the Dean of his/her college, initiate an appeal in accordance with the Interim Faculty Grievance Procedure.

When reason arises to consider dismissal of a non-tenured faculty member before the expiration of his/her term of appointment, the procedures to be followed shall be identical with those established for the dismissal of a tenured faculty member.

FACULTY CAREER ADVANCEMENT AND PROFESSIONAL DEVELOPMENT: A SPECIAL AFFIRMATIVE ACTION RESPONSIBILITY

The following statement was issued by the Office of the Provost on October 5, 1982.

University policy requires that each non-tenured faculty member in the tenure system be "evaluated and informed annually of his/her progress" (see statement on Non-Tenured Faculty in the Tenure System, *Faculty Handbook*). Such annual reviews are to provide opportunities for two-way communication regarding academic unit performance expectations and, if necessary, to provide suggestions and reasonable assistance for improving performance. Faculty career advancement and professional development are to be encouraged.

Under the University's affirmative action policy, unit academic administrators have a special responsibility to encourage the career advancement and professional development of all women and racial minority faculty members appointed in the tenure system, especially non-tenured faculty. A supportive environment should be created in each academic unit to maximize the opportunity for success of these individuals in meeting both their career goals and the unit's performance standards for merit salary increases, reappointment, promotion and tenure. An important aspect of this environment is regular and supportive interaction with colleagues in the unit and in related fields in other units. Efforts of women and racial minority faculty members to overcome barriers related to gender and/or race can divert attention from the achievement of basic career goals and diminish the quality of professional experience.

Department and school administrators are urged to give special attention to and encourage the professional development of their units' women/racial minority faculty members. Special emphasis is placed on the role of annual performance reviews and/or special meetings with women and racial minority faculty to evaluate progress, to encourage professional development, and to ensure two-way communication. Among other things, performance reviews and/or special meetings are:

1. To encourage opportunities as appropriate for membership in informal and formal research groups, teaching, research, and service program activities, assignment of graduate students and research assistants, committee assignments, and other critical activities in the unit.
2. To discuss professional objectives and their relationship to the individual's distribution of effort among assigned duties.
3. To discuss any issues and concerns that may be perceived as barriers to effective performance and full participation in the unit.

Deans should ensure that unit administrators conduct annual performance reviews of each non-tenured faculty member appointed in the tenure system and that, among the topics addressed, those stated above are included in these reviews. If college or unit practice is to require written annual evaluations, the dean should receive a copy of the evaluation sent to each faculty member. The dean should conduct in-depth reviews with each chairperson or director of the annual performance evaluations of each non-tenured faculty member appointed in the tenure system to identify issues and to implement appropriate steps to assist the faculty member in achieving success in the unit.

Deans also are encouraged to schedule individual meetings at least annually with all racial minority and women--if underrepresented in applicable academic units--tenure system faculty members appointed in their colleges. Issues identified in these meetings should be discussed with the applicable chairperson/director so that each individual can have full opportunity to develop professionally and make progress toward meeting unit standards.

Documentation of the occurrence of annual performance reviews of non-tenured faculty in the tenure system by unit administrators must be submitted by each dean to the Office of the Provost along with the preliminary reappointment, promotion and tenure recommendation list. The details of each performance review will be discussed in the meetings on reappointment, promotion and tenure recommendations with each dean by the Associate Provost and Assistant Provost for Academic Personnel Administration.

DISMISSAL OF TENURED FACULTY FOR CAUSE

The following policy was approved by the Board of Trustees on June 24, 1977.

A tenured faculty member may be dismissed: (1) for gross misconduct (described in Appendix I), or (2) for incompetence. Gross misconduct or incompetence must be determined under the rules of academic due process by a representative body of the faculty member's peers. The procedures described below shall be followed before the president submits a dismissal recommendation to the Board of Trustees for final action.

I. Preliminary Conference

When reason arises to consider dismissal of a tenured faculty member, the appropriate administrative officer, or officers, shall arrange a personal conference or conferences. The difficulty may be resolved by mutual consent at this point. If the faculty member is asked to resign and declines, formal action may be initiated under the procedures herein stated. No formal charges shall be made until after the faculty member has been informed that such charges are to be made and has been given an opportunity to meet with the administrative officer who plans to make the charges. In cases in which the faculty member is not in the United States or is otherwise not available for a personal meeting, the requirement of this section will be met by a telephone discussion and/or correspondence with a reasonable opportunity to respond.

II. Initiation of Formal Proceedings

- a. The administrator of a unit in which an affected faculty member is employed (e.g., department chairperson, dean or director) shall recommend to the provost, through the appropriate administrative channels, that formal proceedings be initiated.
- b. The provost shall notify the president before proceedings are initiated. The faculty member may be relieved from any or all academic duties during the proceedings at the discretion of the president if recommended by the provost. Such relief of duties shall be without loss of compensation.
- c. Formal proceedings shall be deemed initiated when the provost files with the president and with the chairperson of the University Committee on Faculty Tenure a written statement of explicit charges against the affected faculty member. The statement shall contain: 1) The nature of the charges; 2) the names of the witnesses, insofar as known, who will testify in support of the specific allegations; 3) the nature of the testimony likely to be presented

by each of these witnesses.

- d. The charge shall be heard by the Hearing Committee, which shall consist of those elected faculty members of the University Committee on Faculty Tenure who are serving on the committee at the time the formal proceedings are initiated. The chairperson and the secretary of the Hearing Committee shall be elected by the Hearing Committee from among its own numbers at a meeting specially convened for this purpose by the chairperson of the University Committee on Faculty Tenure who, if an elected faculty member, is eligible for election. The Hearing Committee may, if either side is represented by legal counsel, solicit the advice of legal counsel for itself, to be paid for by the University. Either party to the proceedings may challenge for cause the appropriateness of individual members of the University Committee on Faculty Tenure serving on the Hearing Committee. Such challenges shall be decided by majority vote of the Hearing Committee, exclusive of the member being challenged. Either party may exercise one (1) peremptory challenge.
- e. The chairperson of the Hearing Committee shall promptly give notice by registered mail to the affected faculty member stating the explicit charge against him or her. The written notice to the faculty member shall contain: 1) the nature of the charges; 2) the names of the witnesses, insofar as known, who will testify in support of the specific allegations; 3) the nature of the testimony likely to be presented by each of these witnesses.

III. The Hearing

- a. Service on the Hearing Committee shall be a high priority University responsibility for the duration of the hearing. The University administration shall assure that administrators of affected units take all reasonable measures to reduce the Hearing Committee members' other responsibilities. The Secretary for Academic Governance shall make available to the chairperson of the Hearing Committee, secretarial and clerical assistance as required. A full stenographic record and tape recording shall be made of the hearing.
- b. The chairperson of the Hearing Committee shall

- request the presence of any witness or the delivery of any University document germane to the hearing. In fulfilling these requests, the appropriate administrative officers will cooperate.
- c. The chairperson of the Hearing Committee shall schedule the Hearing within a reasonable time after the affected faculty member receives notification of the charges against him or her, due consideration being given to the fact that the faculty member needs a reasonable length of time for the preparation of a defense.
 - d. The Hearing shall be closed except that the Hearing Committee may decide that hearing sessions are to be open if this is requested by the affected faculty member. The committee shall hear the views of both parties on the question and shall determine in deliberative session whether the sessions are to be open or closed. The chairperson of the Hearing Committee may, however, in the interest of orderly and equitable proceedings, rule that a given session or portion of a session be closed.
 - e. The chairperson of the Hearing Committee shall be in full charge of the Hearing which shall be conducted according to the procedures stipulated in Appendix II.
 - f. Only those members who have been present at all sessions in which evidence has been presented or arguments have been heard shall have the right to vote. An exception to this attendance requirement shall be made by the chairperson of the Hearing Committee for a member who has missed, for good cause, no more than one session and who has certified to the satisfaction of the chairperson that he/she has listened to a tape recording of the proceedings which were missed, or has read an official transcript thereof. Exception to the attendance requirement may also be made by unanimous consent of the parties to the hearing.
 - g. The provost (or his/her representative), his/her advisor or legal counsel, (if any) and the unit administrator bringing the charges shall be present at all sessions of the Hearing Committee in which evidence is presented or arguments are heard, and may 1) present evidence, 2) call, examine and cross-examine witnesses, and 3) examine all documentary evidence received by the Hearing Committee. The burden of proof shall rest with the person who makes the charges.

- h. The affected faculty member and his/her advisor or legal counsel (if any) have the right to be present at all sessions of the Hearing Committee when evidence is presented or arguments are heard, and may 1) present evidence, 2) call, examine and cross-examine witnesses, and 3) examine all documentary evidence received by the Hearing Committee. If the affected faculty member and his/her advisor or legal counsel choose not to exercise the right to be present, the chairperson at his/her discretion may conduct hearing sessions in the absence of the affected faculty member.

IV. Processing the Record and Rendering Judgment

- a. Within a reasonable time following the adjournment of the Hearing, the Hearing Committee shall prepare a written report which shall contain its findings of fact and its recommendations. A written report which recommends dismissal of a tenured faculty member for cause shall state that the charges made against the affected member are clear and convincing. Any member of the Hearing Committee or any group of members may file a minority report which shall become a part of the Hearing Committee report.
- b. The Hearing Committee shall send its report to the president, the provost, the affected faculty member and the unit administrator bringing the charges. The chairperson of the Hearing Committee shall file in the Office of the Provost: 1) the Hearing Committee Report, 2) a complete file of the case, and 3) tape recordings and transcripts of the hearings. The complete record of the Hearing shall be held for review in the Provost's Office, and shall be available to the president, the provost, the affected faculty member and the unit administrator bringing the charges, for their review, in a place designated by the provost. A correct copy of the complete transcripts of the hearings shall be sent to the affected faculty member.
- c. If a majority of the voting members of the Hearing Committee recommends that the faculty member shall be retained without special conditions, the matter is resolved with the filing of the Hearing Committee Report. In any other event, the following procedures apply in this sequence:

1. The provost, the affected faculty member and the administrator of the unit may, within ten working days after receiving the notification stipulated in section IV, paragraph B, review the record and file written comments with the chairperson of the Hearing Committee and the president.
2. The president, within a reasonable time, will review the case and report in writing his/her preliminary response to the chairperson of the Hearing Committee, the provost and the affected faculty member.
3. The affected faculty member, the provost or the Hearing Committee, through its chairperson, may, within ten days after receiving the president's preliminary response in writing, submit to the president written comments with respect to that response.
4. After consideration of the president's preliminary response, if the president and the Hearing Committee concur in retaining the faculty member without special conditions, the matter shall terminate at this point.
5. If either the president or the Hearing Committee recommends dismissal, or retention with special conditions, the Hearing Committee Report, the recommendations of the president, and any written comments on the president's recommendation by the Hearing Committee, through its chairperson, or by the affected faculty member, shall be submitted by the president to the Board of Trustees for action. The complete record of the case shall be made available to the Board of Trustees.

V. Publicity

For the protection of academic due process and of all concerned parties, public statements about the case shall be avoided as far as possible. Any announcements of the final decision shall include a statement of the Hearing Committee's recommendation. In the interest of truth and fairness, the Hearing Committee, through its chairperson, may release the complete record of the Hearing, or excerpts therefrom.

Appendix I

Among the functions of a university is the establishment of a proper intellectual integrity among the faculty, between the faculty and the students, and between the faculty and the national and international academic community. Professional ethics demand that this relationship of mind to mind not be

impaired by actions of members of the faculty. The advocacy of unpopular causes, public discussion of controversial issues, or other such intellectual causes, shall not be considered as violations of professional ethics. Gross misconduct may be found in:

- A. Violations of professional ethics, to wit:
 - 1. Intellectual dishonesty, e.g. plagiarism or falsified research data.
 - 2. Use of professional authority to exploit others, e.g. sexual advances to a student or solicitation of a reward for favorable personnel actions.
 - 3. Other such actions which impair the intellectual integrity for which the University strives.
- B. Refusal to perform reasonable assigned duties.

Appendix II

Academic due process is the guiding principle in the conduct of a hearing under these procedures. Academic due process with respect to a hearing means assuring that a faculty member being dismissed has an opportunity for a hearing before peers; for the right of counsel if desired; for the right to present evidence and to cross-examine; and for decision on the record of the hearing. In addition, academic due process requires an adequate statement of the charges, a reasonable time to prepare a defense and the right of the faculty member to appeal to the president the Hearing Committee's judgment. Academic due process is followed in internal institutional hearings and is separate and distinct from the due process of law.

Procedure for the Hearing

- 1. The chairperson of the Hearing Committee shall be in full charge of the Hearing.
- 2. The Hearing Committee secretary shall read the specification of charges against the faculty member.
- 3. The chairperson of the Hearing Committee shall request the faculty member's plea.
- 4. The provost (or his/her representative) and the unit administrator bringing the charges (or his/her legal counsel) shall present testimony to support the charges. The affected faculty member and his/her advisor or legal counsel have the right to cross-examine all witnesses. The Hearing Committee should withhold questions until both of the above processes are completed.
- 5. The affected faculty member or his/her advisory or legal

- counsel shall present testimony to refute the charges. The provost (or a representative) and the unit administrator or his/her legal counsel have the right to cross-examine witnesses. The Hearing Committee should withhold questions until both of the above processes are completed.
6. The provost (or his/her representative) and the unit administrator or his/her legal counsel shall summarize the case.
 7. The affected faculty member or his/her advisor or legal counsel shall summarize the case.
 8. The chairperson of the Hearing Committee shall dismiss all persons except those members of the Hearing Committee who have not been a part of the presentation for or against the affected faculty member.
 9. The Hearing Committee shall deliberate to determine its recommendations.

Identical procedures are provided for dismissal of non-tenured faculty prior to expiration of the term of appointment.*

LONG TERM DISABILITY: AN INTERPRETATION OF THE TENURE RULES

The following policy was approved by the University Committee on Faculty Tenure on May 19, 1975. Minor rewording was approved by UCFT on April 26, May 24 and June 7, 1976.

A. Policy

1. A faculty member with tenure may be removed from his or her position on the basis of physical or mental incapacity to carry out the responsibilities for which he or she was appointed.
2. Such incapacity must be established on competent medical advice. Competent medical advice is understood to mean opinion formed by a competent medical authority after careful consultation with:
 - a. The administrators of all units to which the faculty member is regularly assigned, and
 - b. Such other consultants as may be reasonably required.

*The policy on non-tenured faculty was approved by the Board of Trustees on April 17, 1970.

In each of the academic units to which the faculty member is assigned, administrators shall be advised by the faculty advisory group or by faculty members professionally acquainted with the demands of the faculty member's academic position.

3. Removal from an individual's position on the basis of physical or mental incapacity should be demonstrably *bona fide*. It may not be used arbitrarily as a resort for by-passing the procedures governing dismissal of a tenured faculty member.
4. If long-term incapacity is established, the faculty member shall be placed on long-term disability status.
5. The University shall hold the tenured position "open" for two years from the date of establishing the long-term disability, filling it, if necessary, with interim appointments. At any time during the two-year period the faculty member may, by formal request, seek to be reinstated on the basis of competent medical advice. The University shall respond promptly to such a request. If, at the expiration of two years, the individual has not been reinstated, the position need no longer be held "open" for him or her.
6. If within the two-year period, the disabled individual is not capable of resuming the duties of the tenured position, but is capable of assuming another full-time tenured position commensurate with his or her education, training and experience, every reasonable effort shall be made to place him or her in such a position. It is understood and stipulated that such an appointment shall yield a customary and reasonable productivity to both the individual and the University. Conditions of employment should conform to those normal in the area.
7. If, after the expiration of the two-year period, the individual should request to return to service, and competent medical advice indicates that he or she is capable of resuming full-time faculty status, the University shall give preference to the re-employment of the individual when a vacancy occurs in the area of his or her professional competence; however, the individual has no prior claim to the vacancy.
8. If, either within or beyond the two-year period, the disabled individual is not capable of assuming a full-time tenured faculty position but is capable of other employment within the University, the University shall, in keeping with University policies including its policy on the employment of handicapped persons, exert every reasonable effort to find a suitable alternative position. Conditions of employment should conform to those normal in the area.
9. If the faculty member is reinstated in a tenured faculty position, he or she shall have full rights of tenure. If the

person is reinstated in a faculty position he or she shall perform the duties of teaching, research and service with full guarantee of academic freedom.

10. The academic freedom of a disabled faculty member is in no way compromised by disability status.

B. Procedure

The following procedure was approved by the University Committee on Faculty Tenure on April 26, 1976.

1. A faculty member may request disability status for reasons of health, physical or mental incapacity. The procedure for granting "sick leave" is specified in the *Faculty Handbook*. Disability status is granted when the faculty member qualifies for compensation under the terms of the long-term disability program of the University.
2. A chairperson, director of a school, or other unit administrator may recommend that a faculty member be placed on disability status for sufficient reasons, i.e., inadequate performance and a recommendation by the medical officer of the University that the health of the faculty member justifies placement on disability status.
 - a. If the performance of a tenured faculty member deteriorates significantly, the unit administrator will discuss the matter with the faculty member and may inquire regarding the possible reasons including the health of the faculty member. The unit administrator may require a comprehensive medical assessment of the individual if health might be a primary cause of inadequate performance of reasonably assigned duties. This assessment may be by a physician selected by the faculty member and acceptable to the medical officer of the University. The latter advises the unit administrator on the health status of the faculty member.
 - b. If the unit administrator requires a medical assessment of the individual faculty member or recommends disability status, the faculty member must be informed in writing and must be informed at the same time that the faculty grievance procedure is applicable. The dean(s) may approve or disapprove the unit recommendation. If approved, the dean(s) shall forward the recommendation to the Provost for consideration and action.

- c. If at any point in this process the faculty member elects to seek disability status, the routine procedure outlined in paragraph B-1, above, applies.
3. If seeking reinstatement under provision A-5, the faculty member should address the request to the unit administrator, e.g., the department chairperson. Reinstatement under this provision requires approval by the medical officer of the University, the appropriate administrative endorsements, and approval by the Provost.
4. If a faculty member on disability status requests an assignment under provision A-6 or A-7 above, that individual must address a request for such assignment to the Provost in writing. Assignment under these provisions requires approval by the medical officer of the University, the appropriate administrative endorsements and, if appropriate, approval by the Provost.
5. If a faculty member on disability status requests assignment under provision A-8, above, that individual shall address the request in writing to the Provost or appropriate Vice President depending on the position sought. Assignment under this provision requires approval by the medical officer of the University, the appropriate administrative endorsements and, if appropriate, approval by the Provost.

RECEIPT OF QUALIFYING DEGREE AS A CONDITION OF APPOINTMENT IN THE TENURE SYSTEM

The following statement was issued by the Office of the Provost with an effective date of September 1, 1980.

Attainment of the appropriate terminal qualifying degree (Ph.D. or other) will be required as a condition of appointment in the tenure system (ranked faculty, instructor through professor) at Michigan State University.

This policy is consistent with Michigan State University's on-going quest to improve its status and quality as a major land-grant, AAU University.* As such, MSU is an institution which expects that its faculty make significant and on-going contributions to scholarship in their respective disciplines. This policy on qualifying degrees advances MSU's attainment of its mission because the receipt of the appropriate terminal qualifying degree is necessary prerequisite for faculty to make such scholarly achievements. Unit criteria for reappointment, promotion, and tenure must stress the importance of such scholarly achievements. Continuing involvement in scholarly work and research insures the continuing ability to provide highly competent instruction and service which are general requirements of MSU faculty.

*In addition, this policy is supported by other considerations. Other quality institutions do not allow appointments in the tenure system without the appropriate terminal qualifying degree and there is no general shortage of faculty candidates with appropriate terminal qualifying degrees to be considered as prospective faculty at Michigan State University. Finally, the University Committee on Faculty Tenure annually receives and acts on a number of requests that tenure system probationary appointments be extended to permit the completion of the necessary terminal qualifying degree. The existence of such requests indicates that such individuals typically have spent the bulk of their probationary appointment period in completing the requirements for the Ph.D. and, therefore, have not been able to devote time towards scholarly contributions beyond the dissertation stage.

The Ph.D. and several other terminal qualifying degrees (Ed.D.; D. Ed.; D.A.; D.B.A.; Doctor of Journalism; J.D.; M.D.; D.O.; M.S.W.; M.F.A.; D.S.W.; D.M.A.; and D.V.M.), as appropriate to specific academic units, are designated appropriate qualifying degrees applicable under this policy. The application of the policy will operate on this assumption unless colleges and separately reporting units identify other degrees that should be accorded "qualifying degree status." Justification will be required in support of each such recommendation, and an agreement that they should be recognized as "appropriate qualifying degree" must be reached with the Office of the Provost.

This policy will not affect the status of individuals currently appointed in the tenure system who have not as yet completed the appropriate qualifying degree. However, the continued expectation for such individuals is that the receipt of such a degree is a necessary but not sufficient condition for the awarding of tenure. The earliest possible completion of the degree is expected.

Individuals currently completing the requirements for the appropriate qualifying degree may be employed at Michigan State University on a temporary basis (appointment with an ending date) and with a prior agreement with the Office of the Provost may be shifted to a tenure stream position after the qualifying degree has been completed. It is strongly recommended that such individuals be employed on a temporary basis no longer than two years.

Individuals to whom offers for tenure system appointments are made before the appropriate terminal qualifying degree is completed should be informed that a temporary appointment as an instructor will be required if the terminal qualifying degree is not received by a specified date prior to the effective date of appointment. On proof of receipt of the degree and with agreement of the Office of the Provost, the individual's status can be changed to that of an assistant professor in the tenure system.

For all appointments in the tenure system, proof of receipt of the terminal qualifying degree is to be provided by The Graduate School or other appropriate university office at the institution where the degree has been earned. Such documentation must accompany the appointment form when submitted to the Office of Planning and Budgets.

Exceptions to this policy can be made because of truly exceptional and unique qualifications, market considerations, for affirmative action, or other appropriate reasons, but only with the prior written approval of the Office of the Provost.

FACULTY STATUS: RESERVED FOR APPOINTMENTS IN PRIMARY ACADEMIC UNITS OF THE UNIVERSITY

This policy was issued by the Office of the Provost with an effective date of January 11, 1980.

The academic quality of MSU and the integrity of the tenure system are determined fundamentally by decisions for appointment to faculty ranks. These objectives are served best by limiting appointments to faculty status to the primary academic units of the University, i.e., academic departments, schools and colleges.

The Office of the Provost will endorse appointment recommendations to appoint individuals on a temporary basis (with ending date) with the rank of Instructor, Assistant Professor, Associate Professor, and Professor **only** in instances in which the primary recommending unit is an academic department (a department in a college or colleges) and/or a school and/or a college. All appointments in the tenure system, except those subject to the stipulations indicated below, must be recommended by an academic department, or a school in a college, or a residential or other non-departmentally organized college as the primary academic unit, or by such units jointly.

Tenure System Appointments: Primary Academic Units and Other Types Of Units

When a primary academic unit, i.e., a department, school, and/or residential or other non-departmentally organized college joins with any other type of unit in the University to recommend appointment of an individual in the tenure system, the primary academic unit commits to accept the individual as a regular faculty member. The academic unit should make this commitment only after direct involvement in the recruitment of the individual and specification of the unit's role in evaluations for salary increases, reappointment, tenure, promotion, and leave recommendations. In all cases, except as designated below, responsibility and final decision for salary increases, promotion, reappointment, tenure and leave eligibility rests with the designated primary academic unit.* (See next page.) This commitment means that the individual will serve as a regular faculty member in the academic unit if there is a determination at any future date by the Provost after consultation with the appropriate vice president, as applicable, that the best interests of the University will be served by discontinuation of the assignment of the individual in the non-academic unit(s). A

faculty member may also initiate a request to return to the academic unit. Notice of one year to the Provost from the faculty member will usually be sufficient time to reassign the individual to the sponsoring primary academic unit, i.e., department, school, or residential or other non-departmentally organized college.

The reassignment of an individual to a department, school, or residential or other non-departmentally organized college will not constitute an addition to the authorized FTE count except as may be necessary during a transition period. Transition periods will be extended only as necessary by the Provost's assessment of the resources available. As soon as the Provost determines that resources are available, the individual will be included in the academic unit's regular FTE count. Thus, before this type of commitment is made, overall department, school, or college priorities must be considered carefully, including both short-term and long-term plans. The number of such commitments should be limited.

Any individual with a multiple appointment of this type holds status in the tenure system as a member of the primary academic unit, i.e., department, school, or residential or other non-departmentally organized college; and the academic unit is obligated to honor this status fully if and when called upon to do so by the Provost or the faculty member. Consequently, departments, schools, and colleges must be centrally involved in the ways specified above in recommendations on appointment, salary increases, reappointment, tenure, promotion and leaves.

*Such understandings, together with the other required information, should be included in or attached to Michigan State University's Multiple Appointment Memorandum. In instances where the other type of unit provides more than 50 percent salary support, any one of these personnel actions may be designated as the responsibility of this unit. However, such arrangements (a) require the concurrence of the academic unit, (b) should be specified in the Multiple Appointment Memorandum, (c) may be changed at the initiative of the academic unit after consultation with the faculty member, and (d) do not affect the individual's status as a regular faculty member in the academic unit.

Tenure System Appointments: Between Primary Academic Units

The policy stated in the previous paragraphs does not apply to recommendations for joint appointments **between** primary academic units, i.e., departments, schools, and residential or other non-departmentally organized colleges. Recommendations for joint appointments **between** primary academic units for new or currently appointed faculty should include the MSU Multiple Appointment Memorandum which identifies the primary unit with responsibility and final decision for salary increases, promotion, reappointment, tenure and leave eligibility.

As specified by the Multiple Appointment Memorandum, all units, including the primary unit, participate in discussions and reach agreement about the initial appointment recommendation and have the opportunity to provide an evaluation of the faculty member concerning salary increases, promotion, reappointment, tenure and leave eligibility, although the primary unit has the final responsibility for such actions. Although, with the agreement of the relevant chairpersons (directors), deans, and the Provost, such assignments may be changed, multiple appointment assignments are viewed as stable and on-going unless made for a specific period as recorded on the academic personnel form at the time the joint appointment is approved. Unlike joint (multiple) appointments between primary academic units and other types of units, the individual faculty member does not have the option of unilaterally electing to cease performing specified duties in any of the primary academic units party to the original (or amended) joint (multiple) appointment agreement. At the conclusion of joint appointments between primary academic units for specified time periods, the individual faculty member's assignment reverts to the unit(s) specified in the original or amended Multiple Appointment Memorandum.

LIBRARIAN CONTINUOUS APPOINTMENT SYSTEM

The following policy was approved by the Board of Trustees on June 23, 1977 and revised on June 12, 1987.

The Provost of Michigan State University, in recognition of the essential contributions of librarians to academic programs, appoints, upon recommendation of the Director of Libraries, librarians at those professional levels (Librarian I-IV) which do not involve an immediate award of continuous appointment status. The president approves, upon recommendation of the

Director of Libraries and the Provost, appointments of librarians at the professional level (Librarian IV) which confers immediate continuous appointment status to those librarians who exhibit strong evidence of the capacity for sustained professional growth.

Continuous appointment, as used in this statement, assures a librarian that she/he will not be dismissed due to capricious action by the Library administration nor will dismissal be used as a restraint on a librarian's exercise of academic freedom. Continuous appointment does not guarantee employment if positions are not funded, if there are gross violations of University or Library policies, if the librarian refuses to perform reasonable assigned duties or fails to fulfill contractual obligations, or if the librarian no longer renders satisfactory performance in his or her professional capacity at the University.

Dismissal of librarians on continuous appointment will use procedures consistent with the principles for dismissal of tenured faculty, which assure due process, as approved by the Board of Trustees. Dismissal of librarians not on continuous appointment, but prior to the expiration of the current term of appointment, shall use those procedures established for dismissal of librarians on continuous appointment.

An individual appointed as Librarian I or Librarian II is appointed for a probationary period of three to four years that expires on the fourth June 30 following the date of the appointment. This appointment may be followed by an additional three-year period. After this six- to seven-year period, if the librarian is reappointed, continuous appointment will be granted.

If at any time during the initial probationary period the individual is approved for promotion, the changed appointment will be for a three- to four-year period that expires on the fourth June 30 following the date of the change. If reappointed upon the conclusion of this period, continuous appointment will be awarded. If promoted during the second probationary period, continuous appointment will be awarded.

A Librarian III who has not served previously at Michigan State University is appointed to a probationary period that expires on the fourth June 30 following the date of the appointment. If the librarian is reappointed or approved for a change of position to the rank of Librarian IV, continuous appointment will be granted.

A Librarian IV may, on recommendation of the Director of Libraries, be granted continuous appointment from the date of the original appointment at that rank. If a probationary appointment is made it shall be for a period of three to four years that expires on the fourth June 30 following the date of appointment. If reappointed upon conclusion of this period,

continuous appointment will be awarded.

Procedures for the implementation of this policy are available in the Office of the Library.

Evaluation

All librarians are evaluated annually for the purposes of improving performance and service to the Library and the University, for continuing appointment status, and for compensation. The evaluation is made by the immediate supervisor, including consultation with the evaluated librarian.

The Library department administrators, in consultation with the supervisors and peer review committees, make personnel recommendations to the Director on such matters as salaries, hiring procedures, and continuous appointment.

The Director, based upon advice received and considering the total personnel needs of the Library, will make a final recommendation to the Provost on personnel matters.

The evaluative and consultative processes are detailed in the Librarian Personnel Handbook.

Operating Principles

The operating principles for continuous appointment of librarians are included in the Library Bylaws.

SPECIALISTS

Statement on specialist position is in process of development.

INTERIM FACULTY GRIEVANCE PROCEDURE

The Interim Faculty Grievance Procedure printed below was approved by the Academic Council, May 9, 1972 and by the Board of Trustees, May 19, 1972. Amendments to the Interim Faculty Grievance Procedure (IFGP) were approved by the Academic Council on June 1, 1982 and by the Board of Trustees on July 22-23, 1982.

1. Definitions and Exclusions

1.1 Any Michigan State University faculty member (either full-time or part-time) with the rank of professor, associate professor, assistant professor, lecturer, instructor, assistant instructor, research associate, specialist, or librarian, including those with administrative duties, may initiate a grievance procedure, alleging a violation, misinterpretation, or misapplication of existing policies and legislation in the appropriate unit of the University with the administrative officer of the unit where the grievance is alleged to have occurred.

1.2 The provisions of this document shall not preempt or replace the functions of the Anti-Discrimination Policy and Procedures or of the University Committee on Faculty Tenure except to provide procedures for the appeal of administrative decisions not to reappoint non-tenured faculty in the tenure stream.

2. Grievance Structure

2.1 The University Committee on Faculty Affairs* (UCFA) shall serve as a University grievance advisory committee.

2.1.1 The UCFA shall meet with the provost and the president of the University to present and discuss a slate of qualified individuals from which it shall recommend one person for appointment as the Faculty Grievance Official (FGO). It shall also meet with the provost and the president to review the official's term of office and to recommend about his/her reappointment.

2.1.2 The UCFA shall consult with the provost and president concerning an appropriate salary, budget, office facility and staff for the Faculty Grievance Official.

2.1.3 The UCFA shall conduct a continuing review of department or other unit, college, and university grievance procedures established by or in conformity with this document or provided by the Faculty Grievance Official to determine their adequacy, to determine their conformity to the guidelines herein established, and to recommend revision in established procedures.

2.1.4 The UCFA shall participate in the grievance procedure as provided in this document.

2.2 There shall be appointed a Faculty Grievance Official whose office shall be independent of the existing administrative structures of the University.

2.2.1 At the recommendation of the UCFA, the president with approval of the Board of Trustees shall appoint the Faculty Grievance Official (FGO).

2.2.1.1 At intervals not to exceed 5 years, the UCFA shall review the desirability of continuing the appointment of the FGO. At the same time, the FGO shall be consulted by the UCFA concerning interest and willingness to continue.

2.2.2 The FGO shall receive and make every reasonable effort to resolve grievances.

*Replaced in 1978 the Faculty Affairs and Faculty Compensation Committee.

2.2.3 The FGO shall attempt to assure that all hearings provided for in this document are conducted with the appropriate due process.

2.2.4 The FGO shall advise grievants about appropriate procedures to follow for the resolution of their grievances.

2.2.5 In the event of a formal hearing, the FGO shall assure that prescribed procedures are followed expeditiously.

2.2.6 The FGO shall have ready access to all administrative officials and faculty of the University and to all information and records which in the FGO's judgement are essential to the resolution of a particular grievance. The FGO shall make such information and records available to a grievant if, in the FGO's judgement, the grievant has need of them for the resolution of a particular grievance.

2.2.7 The FGO shall be responsible for recommending to the UCFA changes in existing grievance procedures for the faculty.

2.2.8 The FGO shall report once each term to the UCFA and once each year to the Academic Council.

2.2.9 The FGO shall sit as an ex-officio member of the Academic Council.

2.2.10 The FGO advises and assists the faculty and administration in grievance matters, and also studies and evaluates grievance procedures in broad and important ways. However:

2.2.10.1 The FGO shall exercise no powers beyond those delegated to him/her;

2.2.10.2 The FGO shall not make University policy or replace the established legislation or judicial procedures;

2.2.10.3 The FGO shall not serve as advocate for any party on any grievance;

2.2.10.4 The FGO shall respect the confidentiality of records and the privacy of either or both parties in a grievance;

2.2.10.5 The FGO shall not be eligible to participate in any department or other unit, college, or University grievance procedure established by or in conformity with this document, except in his/her official capacity as FGO.

2.2.11 It shall be the responsibility of the FGO to provide procedural guidelines for those departments, units, or colleges which request them or which lack adequate procedure.

2.3 Each department, college, or other academic unit shall establish a grievance procedure that assures due process for individuals or groups (see Article 4) and that accords with the following guidelines:

2.3.1 Records shall be kept and consulted throughout the informal and formal phases of each case.

2.3.2 Records of all formal proceedings shall be filed with the Faculty Grievance Official.

2.3.3 A verbatim transcript of a hearing shall not be necessary. A tape recording of all hearings shall be kept. Where it is judged desirable by the FGO or requested by the grievant or the University, such a transcript shall be made. The total cost of the record shall be paid by the requesting party or shall be shared equally by the parties, if the FGO or both parties to the grievance request a transcript.

2.3.4 Should unit procedures call for a hearing committee it shall serve throughout an entire proceeding.

2.3.5 Any hearing committee shall take precautions to avoid any conflict of interest on the part of its members.

2.3.6 Where hearing committees are established they shall be selected by procedures other than administrative appointment.

2.3.7 The issues in the proceeding shall be clearly stated to all involved parties.

2.3.8 Grievance procedures shall be conducted in good faith.

2.3.9 Formal hearings shall be closed unless both parties consent to an open hearing.

2.3.10 The privacy of confidential records used in the hearing shall be respected.

2.3.11 Hearings shall be conducted and completed within 30 days.*

2.3.12 Decisions will conform to existing University policy and legislation in the appropriate unit of the University.

2.3.13 Hearing Committees shall report their decisions in writing within 14 days of the completion of the hearing to the FGO, who shall forward them immediately to the grievant, to the respondent for consideration and action, and to the administrator who is the respondent's immediate superior.

3. Grievance Procedures

3.1 When a faculty member has a grievance, he/she may discuss the matter in a personal conference with the FGO.

3.1.1 The FGO shall make every reasonable effort to resolve a grievance informally. The FGO may recommend dropping the grievance as lacking in merit, outside the jurisdiction of the faculty, or for other just cause. Such a recommendation, however, shall not be binding on the grievant.

3.1.2 If the grievance is not resolved informally, the FGO shall determine the appropriate grievance channel, such as a department, college, or University hearing board; the University Committee on Faculty Tenure; or the Anti-Discrimination Judicial Board.

3.1.3 At the written request of the grievant, the FGO may initiate a formal grievance procedure to resolve the grievance by referring it in writing to the appropriate director, chairperson, dean or provost.

3.1.4 The FGO shall have ready access to all University persons and information which in the FGO's judgment are essential to the resolution of a particular case. The FGO shall respect the privacy of confidential records and of all persons with whom the FGO speaks.

*References to days in this document mean calendar days.

3.1.5 The FGO shall maintain records of all grievances, formal proceedings, findings, and decisions.

3.1.6 For just and demonstrable cause, the FGO may extend any of the time limits imposed in Articles 2, 3, and 4.

3.2 A faculty member may initiate a grievance procedure independently by written request to the appropriate director, chairperson, dean, or to the provost.

3.3 A written request for a formal grievance procedure must be made within 30 days of the grievant's first knowledge of the alleged violation.

3.4 All written requests for formal grievance procedures shall state the alleged violation, misinterpretation or misapplication of existing policies and legislation, the administrator(s) who is (are) alleged to have violated, misinterpreted or misapplied existing policies or legislation, the approximate date on which that alleged grievable action took place, and the redress sought.

3.5 Any time formal proceedings are initiated, the appropriate director, chairperson, or dean shall send written notification to the FGO and may request the FGO to assist in attempting to achieve an informal resolution.

3.6 If a grievance is not resolved informally or if a procedure has been initiated in writing within a department or unit, a resolution of the grievance may be sought according to the prescribed department or unit procedure. A formal grievance procedure shall begin within 14 days of the written request.

3.6.1 The director or chairperson shall provide written notification to the grievant, to the FGO and to the respondent's immediate superior of his/her decision within 14 days of the completion of the procedure.

3.6.2 Failure to provide written notification shall result in automatic appeal.

3.6.3 If the grievance is not satisfactorily resolved, either party may appeal the decision within 14 days by requesting, in writing, the FGO to initiate a hearing at the college level. Either party may independently appeal within 14 days at the college level by written request directly to the dean.

3.6.4 Failure to appeal within the prescribed time constitutes acceptance of the decision.

3.7 If a grievance is referred in writing to the dean of a college, a resolution of the grievance shall be sought according to prescribed college procedures. A formal grievance procedure shall begin within 14 days of the written request.

3.7.1 The dean shall provide written notification of his/her decision to the grievant, to the FGO and to the Provost within 14 days of the completion of the hearing.

3.7.2 If the college hearing is the first hearing of the grievance or if the grievance concerns non-reappointment of non-tenured faculty in the tenure system and originated at the unit level and if the grievance has not been satisfactorily resolved, either party may appeal the decision within 14 days by requesting, in writing, the FGO to initiate a hearing by the University Appeals Board. Either party may independently appeal within 14 days at the University level by written request directly to the Provost.

3.7.3 If the college hearing is the second hearing (the first having been a department or other academic unit hearing), the decision shall be forwarded to the President of the University for action according to Article 5.

3.7.4 Failure to appeal within the prescribed time constitutes acceptance of the decision.

3.8 If the grievance is referred in writing to the Provost, a resolution shall be sought according to the following University procedures.

3.8.1 If the University hearing is the first hearing of the grievance, a University Hearing Board shall be established by the UCFA in the following manner:

3.8.1.1 A Hearing Board shall consist of 5 members, selected by lot from a panel of 12 members to be drawn by lot from the faculty. All drawing shall be conducted by the UCFA.

3.8.1.2 The UCFA shall meet with the parties to the grievance for the purpose of final selection of Hearing Board members. Upon presentation of the names of the five selected for the Board, each party shall have the right to challenge any member for cause and, in addition, each party shall have the right of two peremptory challenges. Cause shall be determined

by the UCFA. After each challenge, the UCFA shall select another member from the panel, and shall replenish the panel whenever necessary.

3.8.1.3 Faculty members unwilling or unable to serve may be excused for cause by the FGO and others substituted for them, selected as above.

3.8.1.4 The UCFA shall announce the Hearing Board after selection has been completed.

3.8.2 The Hearing Board shall conduct a hearing according to the procedures herein established.

3.8.2.1 The FGO shall assemble the Hearing Board. The FGO shall select the Presiding Officer from a list, established by the UCFA, of faculty qualified to conduct hearings.

3.8.2.2 The Presiding Officer shall not be a voting member.

3.8.2.3 The Presiding Officer shall establish the rules of procedure consistent with due process and with guidelines stated in 4.2.

3.8.2.4 If a University Hearing Board loses two of its members, the hearing shall be terminated and a new one shall be initiated according to the guidelines in this document.

3.8.3 A University Hearing Board may decide as follows:

- a. There has been no violation of the faculty member's rights.
- b. There has been a violation of the faculty member's rights.

3.8.3.1 When a University Hearing Board finds that there has been a violation of a faculty member's rights, the Hearing Board shall determine the appropriate means of redress. Decisions shall not conflict with existing policy and legislation in the appropriate unit of the University.

3.8.3.2 Upon completion of the hearing, the Hearing Board shall present its decision, in writing, to the Provost.

3.8.4 The Provost shall provide written notification of the result of the hearing and of his/her decision to the parties to the grievance, and to the FGO within 14 days of the completion of the hearing.

3.8.5 If the grievance is not satisfactorily resolved, either party may appeal the decision within 14 days by requesting, in writing, the FGO to initiate through the Provost a hearing by the University Appeals Board.

3.8.6 Failure to appeal within the prescribed time constitutes acceptance of the decision.

3.8.7 A University Appeals Board shall be established from which Appeals Panels shall be selected.

3.8.7.1 Each college shall select two tenured faculty members for 3-year terms. The non-college tenured faculty will select four members for 3-year terms.

3.8.7.2 Each college shall select one non-tenured faculty member for a two-year term.

3.8.7.3 Appeals Panels shall consist of 5 members selected at random by the FGO from the members of the University Appeals Board except for grievances concerning non-reappointment of non-tenured faculty in the tenure system.

3.8.7.4 Appeals Panels for grievances concerning non-reappointment of non-tenured faculty in the tenure system shall consist of 3 faculty members selected by the University Committee on Faculty Tenure from its membership, followed by the selection of 2 faculty members at random by the FGO from the University Appeals Board, so that the resulting Appeals Panel shall consist of 3 tenured and 2 non-tenured faculty members.*

3.8.7.5 All hearings conducted by the Appeals Panels shall commence within 14 days of the appeal to the University Appeals Board. Hearings shall observe the guidelines set forth in 2.3.1. through 2.3.13. and the principles of due process outlined in Article 4. The members of an appeal panel shall designate one of their number to serve as chairperson with vote.

*This wording of the procedure for selection of this Appeals Panel resulted from a friendly amendment made by the Board of Trustees at the time the document was approved.

3.8.7.6 The decision of an Appeals Panel shall be reported to the President of the University.

4. Due Process

4.1 The due process outlined in this article and the guidelines set forth in 2.3.1 through 2.3.13 shall govern the procedures of the University Hearing Boards and University Appeals Board.

4.2 At least 72 hours prior to a hearing, the Presiding Officer of a hearing body shall provide the following to all parties:

- a. The written statement from the grievant of sufficient particularity to enable the parties to prepare their cases.
- b. Written notification of the time and place of the hearing.
- c. A copy of this document and all other relevant documents as determined by the Presiding Officer.

4.3 All parties shall be entitled to appear in person to present their case to the hearing body, and may call witnesses on their behalf. Any party may elect not to appear before the hearing body, in which case the hearing shall be held in his/her absence. Absence of a party shall not be prejudicial to the case.

4.4 All parties shall be entitled to counsel of their choice.

4.5 Any party or counsel shall be entitled to ask pertinent questions of a hearing body or any witness.

4.6 All parties shall be entitled to an expeditious hearing of a case.

4.6.1 Upon the request of either party, a hearing body has authority to request an individual or unit to discontinue or postpone any action threatening irreparable harm that is indicated pending final disposition of a case.

4.7 Parties shall be entitled to a written explanation of the decision within 14 days of the completion of a hearing.

4.8 All parties shall be notified in writing of their right to appeal. Should an appeal be instituted, any action, decision, or penalty ordered by a hearing body shall be suspended until acted upon by a higher hearing body.

5. Final Resolution

5.1 Decisions of college hearing boards and University appeals panels shall be forwarded to the President of the University within 14 days of the completion of a hearing.

5.2 For stated cause the President of the University may return the decision to the appropriate hearing board or appeals panel once for consideration.

5.3 Within 30 days, the President shall either concur with a decision and direct appropriate action to implement the decision, or the President shall overrule the decision. When a decision is overruled, written reasons shall be given by the President to the parties to the grievance, to the Hearing Board, the FGO, and the UCFA.

6. Procedures for Amending and Revising this Document

6.1 Any faculty member of Michigan State University may initiate a proposal to amend or revise this document.

6.2 All proposals for amendment or revision of this document shall be submitted to the UCFA.

6.3 All proposals to amend or revise this document must first be considered by the UCFA and then forwarded, with or without recommendation, to the Elected Faculty Council.

6.4 If approved by the EFC, the proposal shall be submitted to the Academic Council.

6.5 Proposed amendments and revisions approved by the Academic Council shall be forwarded, with recommendation for their approval, to the Board of Trustees through the President, and shall become operative upon Board approval.

7. Approval and Implementation of the Report

7.1 This document, as approved by the University Committee on Faculty Affairs, shall be forwarded to the Elected Faculty Council with the recommendation that it be approved and forwarded, with recommendation for its approval, to the Academic Council with the recommendation that the Academic Council approve and forward it, with recommendation for its approval, through the President, to the Board of Trustees.

7.2 If approved by the Board of Trustees, this grievance

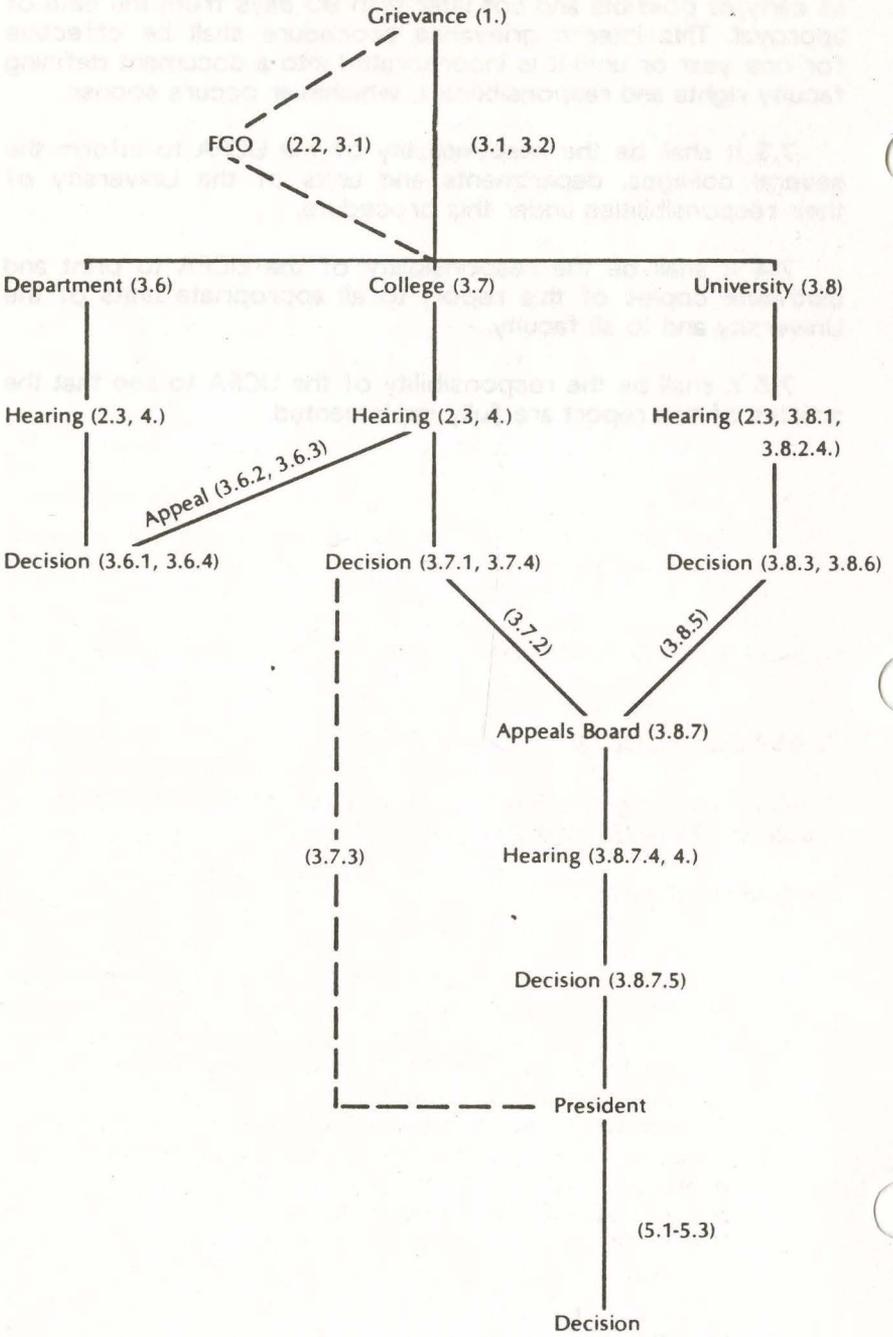
procedure shall become effective upon approval and operative as early as possible and not later than 90 days from the date of approval. This interim grievance procedure shall be effective for one year or until it is incorporated into a document defining faculty rights and responsibilities, whichever occurs sooner.

7.3 It shall be the responsibility of the UCFA to inform the several colleges, departments and units of the University of their responsibilities under this procedure.

7.4 It shall be the responsibility of the UCFA to print and distribute copies of this report to all appropriate units of the University and to all faculty.

7.5 It shall be the responsibility of the UCFA to see that the articles of this report are fully implemented.

Interim Faculty Grievance Procedure



LEAVE POLICIES

Leaves of absence, with or without pay, may be granted to faculty/academic staff members. Recommendations for leaves of absence originate in the department, school or comparable unit and must be reviewed successively by the dean and the provost, who makes the final decision. Leaves usually do not extend beyond one year.

Leaves of absence, other than for sickness or for military service, are not granted automatically but are intended for the mutual benefit of the University and the faculty/academic staff member. **Leaves will not be granted unless satisfactory arrangements are made in advance to:**

1. Carry on the instruction, research, extension and administrative duties of the faculty/academic staff member,
2. Fulfill obligations to graduate students whose programs or theses are being directed by the faculty member and
3. Fulfill obligations to committee assignments.

Specific dates for the leave must be specified in the request and should be made as far in advance as possible.

SABBATICAL LEAVES OF ABSENCE

The following policy was approved by the Board of Trustees on May 25, 1962 and revised on June 12, 1987 .

General Policy

1. A sabbatical leave is intended for the mutual benefit of the University and the faculty member granted a leave. The purpose is to encourage academic and institutional revitalization by providing sustained time for research/creative activities; development of new courses or programs; acquisition of expanded and/or new qualifications and skills; contribution to academic unit plans to improve and/or refocus instructional, research, or public service activities in accordance with the mission of the University.
2. A sabbatical leave is not granted automatically. Each request for a sabbatical leave must include a detailed description outlining the purposes, objectives and

scholarly and research activities of the leave and normally should be submitted six months in advance of the starting date of the leave. The plan should indicate how the objectives and accomplishments of the leave will advance the interests and capabilities of the faculty member for fulfilling the aims, objectives and goals of the department/school, college or University. All leaves must have the approval of the appropriate administrators and of the Provost or designee.

3. Within thirty (30) days following the conclusion of a sabbatical leave, a sabbatical leave report, with a separate summary not to exceed one page in length, must be submitted to the department chairperson/school director. The report should include an assessment and evaluation of the leave accomplishments in relation to the sabbatical leave plan. The department chairperson/school director will forward the report, with comments, to the dean for transmittal to the Provost. The report summary will become part of the faculty member's personnel file in the Office of Academic Personnel Records. Departments/schools or colleges should retain a copy of the sabbatical leave report in applicable unit files.

Eligibility

1. Only faculty members with tenure shall be eligible for sabbatical leaves.
2. A sabbatical leave shall not be granted until the faculty member has completed six years of service to the University. Service shall be interpreted to include those activities of interest to and supported by the University, regardless of the source of financial support.
3. Years of service shall count from the date of full-time appointment, or from the ending date of the previous sabbatical leave (except as stated in the following section, number 3, below). However, all leaves of absence shall be excluded in determining years of service for a sabbatical leave.
4. The length of leaves shall not be extended on the basis of more than six years of service since the previously compensated leave.
5. Appropriate applications for a full year of leave (with reduced pay) normally have precedence over shorter term leaves (with full pay).

Types of Sabbatical Leaves

1. For faculty on academic year appointments, sabbatical leaves are of three types:
 - a. One term with no reduction in pay.
 - b. Two terms with a fifty percent reduction in pay for six months.
 - c. Three terms with a fifty percent reduction in the academic year salary. (Payments distributed over 12 months.)
2. For faculty on annual appointments:
 - a. Up to six months with no reduction in pay.
 - b. Twelve months with a fifty percent reduction in pay.
3. For deans, directors, departmental chairpersons, and other administrative officers:
 - a. Three months once in every three years with full pay, initially after six years of service to the University which includes at least three years of administrative service.
 - b. Six months with no reduction in pay after at least six years of service to the University since the previous sabbatical or from the date of full-time appointment including at least three years in administrative positions without compensated leaves.
 - c. Sabbatical leave eligibility following the return to regular faculty duties requires six years of service to the University since the completion of the sabbatical leave referenced in a. and b., above. Up to three years credit for service between the date of full-time employment or the end date of the sabbatical leave immediately preceding the administrative assignment, whichever is later, and the beginning date of the administrative position may be applied toward this requirement only if the last sabbatical leave as an administrator was a three-month leave (see section 3a, above).

Conditions

1. Recipients of sabbatical leaves are permitted to receive money for activities approved as part of the approved sabbatical plan without prejudice to their receipt of

income from Michigan State University, provided that the total remuneration from all sources does not exceed that received from this institution. (Financial support to offset the costs of travel and subsistence are excluded from total remuneration; see 3, below.)

2. Teaching, research and service activities performed during sabbatical leaves must be in accord with the mission of the unit, college and University. Faculty members on sabbatical leave may accept teaching assignments for pay subject to the following conditions:
 - a. The teaching assignment must provide and be part of a variety of experiences which serve to improve scholarly/creative competence;
 - b. Benefits flowing from the teaching assignment must be demonstrable in the sabbatical leave plan;
 - c. The details of the teaching assignment are clearly defined in the sabbatical leave plan and are subject to approval by the applicable chairperson/director, dean and Provost or designee and agreed to in the best interests of the department/school, college and University.
3. In addition to salary, special arrangements may be made to defray travel and similar coincidental expenses, normally provided by externally obtained non-general fund grants or other arrangements. These arrangements normally should be approved in advance as part of the leave application.
4. A recipient of a sabbatical leave of absence is obligated to return to Michigan State University for the following year. Requests for leaves without pay immediately following a sabbatical leave normally will not be approved. If a leave no pay is to be recommended, it should precede the sabbatical leave.

Departmental Adjustments

1. If a sabbatical leave is granted for one year, academic or fiscal, the department involved will be entitled to use the released funds for a replacement, provided approval is given by the dean of the college.
2. If leave is granted for less than a year, the department will be expected to make adjustments such as suspending courses or by reassigning other personnel.
3. Sabbatical leaves shall not be granted to several

members of a department concurrently if the efficiency of instruction, research and service programs will be impaired.

LEAVES OF ABSENCE WITHOUT PAY

Leaves of absence without pay may be granted with the recommendation of the department chairperson and dean. Specific dates for the leave must be specified in the request and should be made as far in advance as possible, so that neither instruction nor research programs will be interrupted. Such leaves usually do not extend beyond one year.

Faculty/academic staff members should contact the Staff Benefits Office to make arrangements for continuation of their benefit programs.

CONTINUATION OF FRINGE BENEFITS FOR FACULTY ON LEAVE OF ABSENCE NO PAY STATUS TO RECEIVE PRESTIGIOUS AWARDS, FELLOWSHIPS AND/OR SPECIAL ASSIGNMENT OPPORTUNITIES.*

The following statement was issued by the Office of the Provost on May 6, 1985 and revised on April 22, 1987.

Michigan State University encourages continuing professional development by faculty members. This encouragement takes many forms, e.g., substantial time as part of regular assignments devoted to scholarly, research, and other creative activities; sabbatical leaves; an environment supportive of scholarship such as a major research library.

*Eligibility under this program is provided for tenure system faculty members who are recipients of prestigious awards or fellowships or participate in special assignment opportunities which are in the interest of both the individual and the University. Individuals holding either full-time appointments in other academic personnel continuing appointment systems (the Librarian Continuous Appointment System, the Continuing Appointment System for the National Superconducting Cyclotron Laboratory, the Specialist Job Security Appointment System, Cooperative Extension Service Continuing Appointment System, and those holding Executive Management appointments) or full-time regular, non-academic personnel appointments also are eligible to request coverage under this policy if they are recipients of awards, fellowships, or special assignment opportunities comparable to those described above. Requests from individuals appointed in academic personnel continuing appointment systems should be forwarded to the Assistant Provost for Academic Personnel Administration after review and endorsement by the applicable unit administrator and dean/separately reporting director. Requests from non-academic employees should be forwarded to the Assistant Vice President for Personnel and Employee Relations after review and endorsement by the applicable unit administrator and dean/separately reporting director, or other appropriate administrator.

Continuing professional development that is in the interest of both the individual faculty member and the University may be facilitated when a faculty member receives a prestigious award, fellowship, or special assignment opportunity requiring a leave of absence without pay or a reduction in percent employment below full-time, normally for periods usually six months or longer.

Examples of prestigious awards, fellowships, and special assignment opportunities for which leaves of absence without pay often are requested include the following:

1. Prestigious awards and/or fellowships provided by national and international organizations and foundations supporting research and scholarship broadly defined, for example, those provided by the National Endowment for the Arts/Humanities, Guggenheim Foundation, Fulbright Commission, Rockefeller Foundation, National Science Foundation, Social Science Research Council.
2. Prestigious awards and/or fellowships provided by national and international organizations and foundations supporting research and scholarships in specific disciplines, for example, those provided by the Wenner-Green Foundation for Anthropological Research, Charles Warren Center (of Harvard University), Sloan Foundation, and Robert Wood Johnson Foundation.
3. Assignments with international, national, and state public agencies and institutions, private businesses, foundations, and organizations, and professional associations.
4. International faculty exchange programs and participation in teaching/scholarly activities with educational institutions in other countries with which Michigan State University has important formal cooperation or linkage agreements.

There are instances when such awards, fellowships, and special assignment opportunities, as a consequence of the policy of the source institution, do not include fringe benefits similar to those provided by Michigan State University for full-time tenure system faculty.

Request Procedures

On receipt of the above-referenced types of awards, fellowships, and special assignment opportunities for which the source institution does not provide applicable fringe benefits, a tenure system faculty member may request, with written

endorsement of the applicable chairperson/director and dean, that the Office of the Provost arrange with the Office of Staff Benefits for the continuation of the applicable University fringe benefits (see below) not provided by the source agency or institution. Such written requests must provide a statement that the leave of absence without pay is to accept a prestigious award, fellowship, or other special assignment opportunity that is in the interest of both the individual and the University. Information in support of the request must include: a) specifics of the award/fellowship or assignment, including the regular University fringe benefits provided as well as not provided by the source agency/institution; b) documentation from the source agency/institution of its fringe benefits policy; c) the specific assignment(s) to be performed while on leave of absence without pay; and d) how the activities entailed in the award, fellowship, or special assignment opportunity advance the interests of the individual and the University. Requests must be initiated by the faculty member, and the continuation of fringe benefits is not an entitlement; each case is to be reviewed on its merits.

On approval of such requests, the Office of the Provost will arrange with the Office of Staff Benefits for continuation of the faculty fringe benefits stated below for the faculty member for a leave without pay of up to **one year**, with an additional one-year extension based on a written request approved by the chairperson(s)/director(s), dean(s), and the Provost. **In exceptional cases, fringe benefit eligibility may be continued for an additional period.**

Possible Fringe Benefit Coverage

Those fringe benefits set forth below which are not provided by the applicable source agency/institution -- for which full-time Michigan State University faculty appointed nine months or more are now eligible -- may be provided for faculty members for whom continued benefits eligibility is approved by the Office of the Provost. (The fringe benefits continued will be limited to those in force for the individual immediately prior to leave of absence without pay status):

1. Health Care coverage with applicable University contribution;
2. Dental plan coverage;
3. Expanded life insurance;
4. Long-Term Disability (LTD);
5. Employee-paid life insurance if the employee continues to pay premium;
6. Accidental Death and Dismemberment coverage if the employee continues to pay premium.

Salary-related benefits, e.g., University contributions to the base retirement plan (TIAA-CREF), social security, etc., will not be provided during a leave of absence without pay. Continued benefits which are linked to an individual's salary status, e.g., expanded life insurance, LTD, will be based on the applicable University salary rate immediately prior to the leave of absence without pay.

Requests for eligibility under this program should be directed to the Assistant Provost for Academic Personnel Administration after review and concurrence by the chairperson(s) and dean(s)/separately reporting director(s).

MILITARY SERVICE LEAVES

The University cooperates fully with faculty/academic staff members taking part in the reserve program of the military forces which calls for active duty training annually with the National Guard, Officers' Reserve Corps, or similar U. S. military organizations.

The University will pay the faculty/academic staff member the difference between military pay and allowances and normal take-home pay for the required days of military duty.

When a member of the faculty/academic staff enters the armed forces, it is the policy of the University to grant, on request, a leave of absence to cover the term of service.

MEDICAL LEAVES

Short-Term Disability

Faculty and academic staff members who are appointed on a full time basis* are eligible for up to six months of paid leave if health problems prevent the individual from working. It is the responsibility of the individual faculty or staff member to promptly notify the department chairperson, director, or immediate supervisor of absence due to illness or disability.

If other members of the faculty/academic staff assume the duties of the individual on a temporary basis without additional cost to the University, no formal report of the absence beyond the dean or director of the major academic unit is required during a four week period.

If the absence extends or is expected to extend beyond four weeks, a leave of absence beginning with the first day of absence should be requested by the individual or if the individual is unable to make the request, by the department chairperson or director, through the office of the dean to the provost for reporting to the president and Board of Trustees.

Long-Term Disability

If disability of a faculty or academic staff member appointed for nine months or more on a full-time basis extends or is likely to extend beyond six months, the Staff Benefits Office should be contacted immediately for information on applying for benefits under the Long-Term Disability plan and Social Security. (See Long-Term Disability: An Interpretation of the Tenure Rules.)

*Short-term medical leave also applies to part-time faculty and academic staff members appointed for 50 percent or more time for nine months or more.

Short-Term Leave of Absence--Maternity

The following policy was revised on December 1, 1987.

Guidelines and Procedures for this Policy are:

1. A pregnant faculty or academic staff member is expected to remain on active status as long as she is able to perform the duties of her position without harm to her well-being or that of the unborn; she is to return as soon as her health permits after the birth of the child.
2. Upon a request by the pregnant faculty or academic staff member and presentation of a statement from her physician giving the projected delivery date, a leave of absence with pay will be granted without additional medical certification for a period up to four weeks before the projected delivery date and eight weeks following the birth.
3. Leave of absence (see below) in excess of the four weeks prior to the projected delivery date or the eight weeks after the birth requires a statement of medical need from the attending physician.

In all cases, the faculty or academic staff member is expected to make suitable arrangements, in advance whenever possible, with the chairperson or director of the academic unit. On a mutually agreed basis, this policy can be implemented to provide some variation in the leave of absence periods before and after the projected delivery date in recognition of scheduling constraints associated with academic responsibilities. As applicable, a written statement of such implementation arrangements must accompany the leave request.

Absence due to temporary illness or disability caused by or contributed to by pregnancy, childbirth and/or recovery--not covered by a maternity leave of absence--is covered by the short term disability medical leave of absence policy stated above.

Leave for purposes relating to child care is not to be confused with medical leave of absence relating to pregnancy and child birth. Leave for child care may be either annual leave (vacation) or leave without pay. Suitable arrangements are to be made in advance with the chairperson or director of the academic unit.

VACATION

The University provides vacation leave to faculty and academic staff members who are appointed on an annual year basis under the following conditions:

Eligibility

1. Faculty and academic staff members holding appointments on an annual year basis, with more than six months service, are eligible for annual vacation leaves. Faculty and academic staff holding academic year appointments are not eligible for vacation leave.
2. Faculty and academic staff members holding appointments on an annual year basis receive annual vacation leave equivalent to one month (22 working days) in twelve months. Proportional allowances are granted to appointees with more than six months of service but less than twelve. Vacation allowances are granted on July 1 of each year.
3. Part-time faculty and academic staff members holding appointments for fifty percent or more time on an annual year basis receive vacation on a proportional basis.
4. Vacation must be taken during the fiscal year.
5. Vacation leave may not exceed one month (22 working days) in the fiscal year and is not cumulative.
6. Any supplementary employment during the annual vacation leave is contrary to University policy.

Scheduling

Each department is responsible for scheduling vacations in order not to interfere with the operation of the department and to insure that each faculty/academic staff member receives the appropriate vacation allowance during the appointment period. Although the scheduling preference of faculty and academic staff should be considered, vacations have to be scheduled to meet the instructional and research requirements of the department. Units that experience "slack" or "down" periods may require that vacations be taken during these times (e.g., December recess, summer recess, etc.). When practical, faculty/academic staff members should be informed of such requirements in advance.

Pay in Lieu of Vacation

Actual time off from work during the appointment period must be taken in order to receive compensation for vacation time. Payment in lieu of vacation may be approved only in case of retirement or termination for any cause (resignation, death, etc.)

Pay in lieu of vacation shall not exceed payment for one month less vacation time used during the fiscal year. Neither vacation time nor pay in lieu of vacation can be granted prior to eligibility for vacation allowance.

Transfers

Unused vacation allowance not exceeding one month will be transferred with a faculty/academic staff member when the individual transfers from one position, budget or operating unit to another. If a faculty/academic staff member is transferred from an instructional staff appointment to a professional, administrative, or other type of appointment, a transfer of the balance based on one month less actual vacation days used during the past fiscal year will be made.

Each department, school, or other administrative unit is responsible for scheduling vacation time off for faculty/academic staff members, maintaining vacation usage records, and if a faculty/academic staff member transfers to another unit, for notifying the faculty/academic staff member of unused vacation time in writing. A copy of the notification must be sent to the faculty/academic staff member's new unit.

BRIDGING BREAKS IN SERVICE

The following policy was issued by the Office of the Provost and has an effective date of August 16, 1982.

To provide a consistent definition of continuing employment for University employees, the policy for bridging breaks in service provides that service breaks for faculty/academic staff of twelve months or less result in the reinstatement of the previous employment date for purposes of retirement service credit and for fringe benefit eligibility. To bridge breaks in service greater than ninety days and not more than twelve months, the following conditions must be met:

1. The employee must have a minimum of one year of service prior to the break in employment; and,
2. The maximum accumulation of bridged time is two

years, i.e., the sum total of individual breaks in service cannot exceed two years.

All approved leaves of absence or sabbatical leaves do not constitute a break in service.

This policy will be implemented automatically by the Office of Academic Personnel Records at the time individuals are subsequently reappointed. For individuals seeking to clarify their continuing employment status, it will be necessary to submit a written request to Academic Personnel Records, 312 Administration Building. The following information should be included in the written request: (1) Name (indicate if previously employed under a different name); (2) Social Security Number; (3) Present Department; (4) Previous Employment Date; (5) Separation Date; and (6) Re-employment Date.

Questions regarding the bridging policy should be directed to Academic Personnel Records, 5-1526; contact Staff Benefits, 3-4434, regarding eligibility for benefit coverages.

RETIREMENT

The following policy was adopted by the Board of Trustees on February 17, 1962 and revised on October 3, 1986, with an effective date of January 1, 1987.

Eligibility Policy

The University retirement plan is described in the section entitled Faculty/Academic Staff Benefit and Retirement Programs. Michigan State University's faculty/academic staff retirement policy provides:

1. The normal age for retirement of faculty/academic staff members is 65, but is optional on the first day of the term following attainment of age 62 with 15 years of service or after 25 years of service at any age. Retirement is compulsory on the first day of July following attainment of age 70.*

*Service includes activities of interest to and supported by the University regardless of the sources of financial support.

*July and August salary payments for academic year (AY) faculty who retire on June 30 are included in their June paycheck.

2. Tenure system faculty members meeting the retirement eligibility requirements in 1. above may serve their final year before retirement on a terminal consultantship basis with agreed-upon duties involving at least a one half time assignment provided there were no compensated leaves in the five years immediately prior to retirement. Recommendation for such consultantship must be made by the department chairperson and dean. The salary must be provided by the department. In applying for a terminal year consultantship, the faculty member must submit a letter outlining the proposed duties during the period. At the end of the consultantship period, a report on the accomplishments is to be submitted to the provost through the department chairperson and dean. Forms for requesting terminal consultantships and retirement are available in the Staff Benefits Office, 140 Nisbet Building. Terminal year consultantships must be completed no later than the first day of July following attainment of age 70.
3. Administrative officials, including deans, directors, and department chairpersons will be relieved of administrative responsibilities on the first day of July following attainment of the age of 65 unless specific exception is made by the Board of Trustees. When relieved of administrative responsibility, they may:
 - a. request a one-year terminal leave* followed by retirement, if the eligibility requirements in 1. above are met, provided there were no compensated leaves in the five years immediately prior to retirement, or
 - b. continue active service without terminal leave to age 70 with assignment to new responsibilities. Salary may be adjusted to a level commensurate with the new duties.

Note: Normally, the option of a one-year terminal leave with pay can be made only at this time. Individuals currently serving as administrators who satisfy the eligibility requirements for optional retirement (see 1. above) may receive approval for terminal leaves before age 65. However, administrative officials

*Social Security contributions are withheld from the salaries of administrative officials on terminal year leaves.

who are also members of the faculty may qualify to serve their final year before retirement on a terminal consultantship basis if they meet the conditions stated in 2. above.

4. A retired faculty member may be re-employed, usually for part-time service, on a term-to-term or a year-to-year basis. Salary will be determined at the time of appointment for such service and will be in addition to the approved retirement pension from the University's retirement plan. No benefits are available beyond the normal retirement benefits as a result of re-employment following retirement.

CREDIT FOR PAST SERVICE

For retirement purposes only, a faculty/academic staff member may receive credit for past service if the following conditions are met:

1. Faculty/academic staff who terminate employment from Michigan State University for more than twelve (12) months and subsequently are re-employed by MSU for five (5) or more continuous years are eligible to apply for credit for the previous employment.
2. A minimum of nine (9) months of continuous service prior to the date of termination is required to apply for credit for past service.
3. Approved leaves of absence or sabbatical leaves do not constitute a break in service.

To apply for credit for past service, faculty/academic staff must submit a written request to the Office of Academic Personnel Records, 312 Administration Building, after establishing five years of continuous re-employment. The following information should be included in the written request:

1. Name (indicate if previously employed under a different name)
2. Social Security Number
3. Present Department
4. Previous Employment Date
5. Separation Date
6. Re-employment Date

Questions regarding this procedure should be directed to the Office of Academic Personnel Records, 355-1526.

RESIGNATIONS

The procedures under Michigan State University's tenure system bind the University to give adequate notice to faculty members if they are not to be reappointed. To protect the University in its efforts to find satisfactory replacements, it is expected that faculty members planning to resign will in every case give at least ninety days notice in writing to the department chairperson or dean.

Faculty members leaving the University should contact the Staff Benefits Office, 140 Nisbet Building, for information concerning termination, continuation or conversion of their benefit programs.

PARTICIPATION IN PARTISAN POLITICAL ACTIVITIES

The following policy was approved by the Board of Trustees on December 12, 1950.

As citizens, the faculty/academic staff members of Michigan State University have the same rights and responsibilities of free speech, thought, and action as all citizens of the United States. Their position, however, imposes special obligations, such as emphasizing that they are not institutional spokespersons, and exercising appropriate restraint.

Obviously, faculty/academic staff members have a binding obligation to discharge instructional and other regular duties, and performance of these duties may be impaired by any private activity requiring a large portion of time. For the mutual protection of faculty/academic staff members and the University, faculty/academic staff members campaigning as political candidates for state or federal offices shall do so on their own time. For the period of such candidacy, it is required that they obtain leaves of absence or continue to work at the University on a part-time basis. Final determination for such decisions shall rest with the Board of Trustees.

Leaves of absence are not required of faculty/academic staff members who become candidates for offices of a temporary or part-time nature, such as members of a municipal charter revision commission, members of a local school board, or holders of municipal office.

This policy is intended to safeguard the freedom of speech,

thought, and action of faculty/academic staff and to avoid impairment of the significant contributions they are capable of making toward improved local, state, and federal government.

STUDY AT MSU BY FACULTY MEMBERS

The following policy was approved by the Academic Council on May 1, 1973. Policies and procedures were reaffirmed by the Graduate Council on February 14, 1977, with the instruction that the dean of The Graduate School monitor programs of all faculty members pursuing MSU doctorates and notify any faculty members not in compliance.

1. No MSU faculty member with the rank of professor, associate professor, or assistant professor; or instructor in the tenure system may earn a doctoral degree at MSU. Any waiver of this regulation may be made only by agreement of the Graduate Council and the provost prior to the beginning of the program.
2. Full-time faculty members may carry an average of four credits a term with a maximum of 12 credits for three terms. Fees are based on the number of credits carried, in the same manner as for other students.
3. A full-time faculty member may enroll in credit courses as an auditor with prior approval from the chairperson of the department offering the course and from the faculty member's department chairperson. No charge is made.
4. This regulation removes the master's degree from the prohibition and it does not apply to the graduate-professional degrees: D.O., D.V.M. M.D.

COURSE FEE COURTESY POLICY

The following policy was approved and amended by the Michigan State University Board of Trustees at its July 23, 1982, July 29, 1983, December 2, 1983 and April 6, 1984 meetings, respectively.

1. Dependent children and spouses of eligible faculty and staff (see below) who are appointed prior to the second week of a term or summer session will be entitled to a course fee courtesy. The course fee courtesy consists of the credit of an amount equal to one-half of the applicable Michigan resident

- on-campus undergraduate course fees.
2. Faculty and staff eligible under the course fee courtesy policy are as follows: full-time tenure system faculty, full-time librarians in the continuous employment system, full-time specialists in the job security system, individuals appointed full-time in the Cooperative Extension Service continuing employment system, individuals appointed full-time in the Continuing Faculty Appointment System for the National Superconducting Cyclotron Laboratory, individuals appointed full-time in executive management positions and other continuing positions (appointments without end dates) in the Academic Personnel System, and those who have access to the program by virtue of a labor contract.
 3. Dependent children shall be defined as (a) all legally dependent children of eligible faculty or staff; and (b) such children who have eligible faculty or staff as their legal guardians.
 4. Dependent spouse shall be defined as the legally recognized spouse of an eligible faculty or staff member.
 5. Course fees shall be defined as the amount associated with credit hour enrollment and shall not include the registration fee or such fees, taxes and charges as may be collected for third parties.
 6. The course fee courtesy will be granted through the term in which the 180th credit is attempted provided the dependent child or spouse is registered as a student in good academic standing at Michigan State University in a curriculum leading to the first baccalaureate degree or to a certificate in the Agricultural Technology program. For undergraduate students with transferable credits, the course fee courtesy is granted through the term in which the combination of transferable credits and Michigan State University credits attempted equals 180.
 7. Except as stipulated below, the Course Fee Courtesy for dependent children and spouses will be discontinued at the conclusion of the term or summer session at which the employment of the eligible faculty or staff member is terminated. The dependent children and spouse of an eligible faculty or staff member participating in the University's Long-Term Disability Program or who dies while on active service or while participating in the University's Long-Term Disability Program retain eligibility as if the eligible faculty or staff member were still living or were not participating in the University's Long-Term Disability Program as long

as they meet the other eligibility requirements of the Course Fee Courtesy Policy. The dependent children and spouse of eligible faculty or staff members who retire in accordance with Michigan State University's retirement policy also retain eligibility as long as they meet the other eligibility requirements of the Course Fee Courtesy Policy.

8. If the dependent child or spouse drops courses or withdraws from school during the refund period, any refund applicable to the course fee courtesy will revert to the University.
9. Dependent children and spouses of eligible faculty and staff on approved leave of absence will be eligible for the course fee courtesy.

FACULTY AWARDS

Distinguished Faculty Awards

Distinguished Faculty Awards are made each year to members of the faculty for outstanding total service to the University. Each college making nominations for the award has its own detailed criteria and methods for nomination. The nominations are based on teaching; advising; research; publications; art exhibitions; concert performances; committee work; public service including extension, continuing education and work with government agencies; or a combination of these activities. Administrative excellence and length of service may not be used as the sole criteria for nomination. However, nominees usually have at least five years of service at Michigan State University.

Final selection of Distinguished Faculty Award winners will be made by an All-University Awards Committee appointed by the President. The Awards Committee each year will define and publish selection criteria and solicit nominations. Each nominating unit having 200 or more faculty members may nominate four candidates each year. Each nominating unit having 100-199 faculty members may nominate three candidates each year. Each nominating unit having fewer than 100 members may nominate two candidates each year. After nomination for the award by the nominating units, screening will be carried out at the direction of the Awards Committee, through subcommittees or other means which they judge appropriate. No more than ten Distinguished Faculty Awards shall be made each year.

MSU Teacher-Scholar Awards

Teacher-Scholar Awards are made to six members of the faculty from the ranks of instructor, assistant professor and associate professor who early in their careers have earned the respect of students and colleagues for their devotion to and skill in teaching. The essential purpose of the award is to provide recognition to the best teachers who have served at MSU for seven years or less. Nominations are made by department chairpersons/school directors after consultation with an appropriate committee of senior colleagues. No department/school may make more than two nominations. "At large" nominations are also invited from an appropriate student organization.

To be considered for an MSU Teacher-Scholar Award, the faculty member must hold the rank of instructor, assistant professor or associate professor and, at the beginning of the award period, must have served on the faculty for at least three terms, but no more than seven academic years at Michigan State University. Nominees for a Teacher-Scholar Award must be willing to permit a member of the awards committee to visit their classrooms. Committee visitation is a part of the total evaluation procedure only for those nominees who, after preliminary screening, seem most promising.

MSU Excellence-In-Teaching Citations for Graduate Teaching Assistants

MSU Excellence-In-Teaching Citations are made to six graduate teaching assistants who have distinguished themselves by the care they have given and the skill they have shown in meeting their classroom responsibilities. The essential purpose of the citation is to bring University-wide recognition to the best of the graduate teaching assistants and by so doing to underline the qualitative contribution which they are making to the undergraduate program.

Nominations are made by the chairperson of the department/director of the school in which the teaching assistant's instructional responsibilities have been discharged. When this is not the department/school in which the nominee is a candidate for a degree, the chairperson/director of the degree department/school must endorse the nomination. In every instance the nomination must be accompanied by a letter of recommendation from the faculty member who has supervisory responsibility for the graduate teaching assistant. Individual departments/schools will ordinarily make a single

nomination each year, but the larger departments/schools may make as many as three. "At large" nominations are also invited from an appropriate student organization.

To be nominated for an MSU Excellence-In-Teaching Citation, the teaching assistant must have held at least a half-time graduate teaching assistantship for a minimum of two terms at the time of nomination. In addition the nominee must have assumed a significant measure of responsibility for the conduct of undergraduate courses, whether in lecture, recitation or laboratory sections. Special tutorial or seminar teaching will also be recognized by the citations committee.

PROCEDURES FOR FACULTY AND STUDENT PARTICIPATION IN THE SELECTION OF SPECIFIED UNIVERSITY LEVEL ADMINISTRATORS

The following procedure was approved by the Academic Council, as amended, on January 25, 1983; under the terms of the Bylaws for Academic Governance, section 3.2.5.5, it was approved by the President on April 20, 1983.

1. General Principles

1.1. The selection of University administrators is a matter of great importance to the University. The President and Provost normally seek advice on such matters through a variety of appropriate channels, individuals, and groups. Participation of faculty and students in the selection of those administrators who significantly affect the academic programs of the University is provided by the procedure described below in accord with provision 3.2.5. of the *Bylaws for Academic Governance*.

1.2 The process of selecting certain University-level administrators, who make decisions that significantly affect the academic programs of the University, shall include participation by faculty and students.

1.3 Consistent with the principle of participation by faculty and students, the President and Provost have the fundamental

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responsibility for initiating the selection process and seeing the process through to the end. It is the responsibility of the President to make recommendations of appointments to the Board of Trustees.

1.4 The President or the Provost will seek the advice of the Executive Committee of Academic Council regarding the procedure to be utilized as soon as possible when a vacancy occurs or is anticipated in one of the positions, identified on lists A and B below, as an office at the University level which has responsibilities significantly affecting the academic program of the University. These lists will be reviewed periodically in consultation with the Executive Committee of the Academic Council. The Executive Committee or the President or the Provost may propose modifications to the lists.

A. Administrators who report to the President

1. Provost
2. Vice President for Research and Graduate Studies and Dean of the Graduate School
3. Vice President for Student Affairs and Services

B. Administrators who report to the Provost

1. Dean, International Studies and Programs (joint with the President)
2. Dean, Lifelong Education Programs (joint with the President)
3. Dean, Urban Affairs
4. Director, Libraries
5. Director, Honors College

1.5 When advising the President or the Provost regarding a specific procedure to be used, the Executive Committee of Academic Council shall consult with Faculty Council. Consultation with Faculty Council shall take place prior to final Executive Committee advice to the President or the Provost.

1.6 An advisory committee will be appointed by the President or Provost to provide them with evaluations or recommendations on individuals under consideration. The Executive Committee of Academic Council shall advise the President or the Provost on the general composition and specific membership of the advisory committee.

2. Procedures for and Composition of Advisory Committees

2.1 The advisory committee shall consist primarily or wholly of faculty and students, and shall include women and minorities. Selected members who might be judged appropriate by the Executive Committee of Academic Council may be added. All persons or groups involved in selecting or identifying the members of a special advisory committee share the responsibility of including women and minority committee members.

2.2 At the beginning of a selection process, the President or the Provost shall consult the Executive Committee of Academic Council on who shall have the responsibility for posting the position, receiving applications, making contacts, checking references, arranging interviews, etc. Usually, the President or designee, or the Provost or designee, will assume responsibility.

2.3 In order to assure administrative continuity and avoid unnecessary reliance on acting appointees, the selection process should be conducted expeditiously. Therefore, any advisory committee must not only be appropriately representative but small enough to work on an appropriate time schedule.

2.4 The special advisory committee and others involved in the procedure should be aware of and carefully consider current issues relevant to the position to be filled. To this end, a direct discussion or series of discussions should be undertaken with the President or the Provost to determine their view on the position and the qualifications required of candidates.

2.5 The selection process must assure that, where appropriate, the names of persons willing to be considered and related documentation shall be kept confidential.

2.6 The evaluation or recommendation of the advisory committee will be presented to the President or Provost with the candidate or candidates identified as acceptable or unacceptable and with evaluative comments about each. The President/Provost should notify the advisory committee of the decision made with respect to the person to be appointed, regardless of whether that individual was identified as acceptable or unacceptable, and then meet with the committee to explain the decision.

2.7 MSU affirmative action personnel policies and procedures apply to these positions. The Board of Trustees' approved guidelines for hiring principal administrative personnel also apply to the positions in list A.

3. Acting Administrators

3.1 The responsibility for the appointment of acting administrators rests with the administrator to whom the acting appointee reports. The President or the Provost shall consult with the Executive Committee of Academic Council regarding such appointments.

3.2 The appointment of an acting officer shall not be used by either the acting administrator or the officer to whom that person reports to bias the selection of a permanent appointee.

SALARY, APPOINTMENT, AND FACULTY STATUS OF FACULTY MEMBERS WHO ASSUME ADMINISTRATIVE RESPONSIBILITIES

This policy was issued by the Office of the Provost, after consultation with the Council of Deans, the University Committee on Faculty Affairs and the University Committee on Faculty Tenure, with an effective date of January 1, 1982.

The faculty member who accepts assignment as an administrator must be informed of his/her status as a member of the faculty as distinct from his/her status in the administrative position. There are five aspects of faculty status which must be specified:

- a. Academic Year (AY) or Annual Year (AN) appointment basis as a faculty member as distinct from appointment basis as an administrator.
- b. Salary rate as a faculty member as distinct from salary rate as an administrator (including administrative increment, when applicable).
- c. Primary academic unit (department(s), school(s), and/or residential or non-departmentally organized college(s)) membership as a faculty member indicating where regular faculty responsibilities normally would be performed in the event of return to regular faculty status.
- d. Duties to be performed as a faculty member while on assignment as an administrator.
- e. Reappointment, tenure and promotion(s) criteria and

procedures for faculty members while on assignment as an administrator.

This policy applies to faculty members who are recruited to accept appointment both as a faculty member and an administrator and to faculty members already at Michigan State University who accept an administrative assignment.

All concerned must recognize that assignment as an administrator is subject to change at any time and that at any time the faculty member may return to regular faculty duties in his/her primary academic unit, e.g., department(s), school(s), and/or residential or non-departmentally organized college(s).

Appointment Basis

An academic year appointment basis is the basic employment commitment to individuals appointed in academic personnel system positions at Michigan State University, and this is not changed by reason of an administrative assignment. Rather, a change related to the administrative assignment, i.e., AY to AN appointment basis, is for the period of service in the administrative assignment only. (It is recognized that with Provost approval, because of unit mission and needs and individual responsibilities, some faculty members will be appointed to faculty duties on an annual basis. For further information see policy entitled "Academic Personnel System Appointments: Basic Employment Commitment on an Academic Year Basis," *Faculty Handbook*).

Salary Rate

An individual's salary rate as a faculty member is not changed by reason of an administrative assignment. Rather, the change related to the administrative assignment is for the period of the service in the administrative assignment only. The salary rate as a faculty member should be reviewed and specified explicitly each year even while the faculty member holds an administrative assignment. The salary rate related to an administrative assignment will reflect a change from AY to AN basis, if this is relevant. Also, an administrative increment may be added.

Status in Academic Unit

Prior to appointment or assignment to administrative duties, the applicable primary academic unit(s) must (initially or continue to) accept the faculty member as a **regular faculty member**. Following reassignment from administrative duties, the designated primary academic unit(s) will honor this commitment by accepting the faculty member in its "normal" FTE count except as may be necessary during a transition period. Transition periods will be extended only as necessary by agreement with the Office of the Provost after an assessment of the resources available.

Performance of Faculty Duties

Faculty duties may be performed by the faculty member while serving in an administrative capacity. These duties may include teaching, research and public service in the relevant primary academic unit(s), i.e., department(s), school(s), and/or residential or non-departmentally organized collegel(s). In addition, committee assignments, supervision of graduate students, participation in academic governance, as consistent with University, college, and unit bylaws, in or on behalf of the academic unit may be involved. Subject to an explicit agreement between the relevant University, college, and unit level administrators, performance in such activities is to be evaluated in accordance with normal unit procedures and should be an ingredient in the evaluation for salary increases of the faculty member holding an administrative assignment. In accordance with this explicit agreement, the University, college and unit administrators shall resolve any differences concerning the annual salary increase to be recommended for the individual in question.

Criteria and Procedures for Reappointment, Tenure and Promotion

Performance in assigned faculty duties should be an ingredient in the evaluation for reappointment, tenure and promotion of the faculty member holding an administrative assignment.*

Evaluation of a faculty member assigned to both faculty and administrative duties and responsibilities should take into account the relative assignment of effort to these duties and responsibilities. Evaluation of faculty and other primary academic unit duties in consideration for the above-referenced academic personnel recommendations must be conducted in accordance with normal unit procedures and criteria.

Normally the primary academic unit will initiate the recommendation for reappointment, tenure, and/or promotion (as appropriate) in accordance with regular procedures. However, the appropriate administrator may also initiate the recommendation. In such cases, the recommendation must be reviewed and endorsed by the primary academic unit(s) in which the individual holds academic rank. Such an endorsement indicates the willingness of the unit to accept the individual as a faculty member in the unit with the recommended tenure status and rank.

*As a general matter, a non-tenured faculty member should not be assigned to administrative duties except in instances when this is in the best interest of the individual and the University. In such cases, a written statement on how the unit's regular standards and criteria for reappointment and tenure will be applied to the individual during the period of administrative assignment must be prepared by the applicable unit administrator, after consultation with the designated unit advisory committee, and be sent to the affected faculty member before the administrative assignment is approved. The annual review of performance must include assessment of progress as a faculty member performing regular faculty duties, i.e., instruction, research and public service.

Implementation of Policy

All of these aspects of faculty status must be communicated by the relevant unit administrator to the faculty member, in writing, before initial appointment as a faculty member and administrator or prior to the assignment of administrative duties to a faculty member already employed at Michigan State University. A copy of the letter specifying these aspects of faculty status, including how they will be affected, if at all, by the cessation of administrative duties, must be attached to the appointment or change of status form used to initiate the personnel action.

As relevant, appointment or a change in status to an annual (AN) appointment basis and the addition of an administrative increment by reason of administrative assignment should be specified in the "comments" section of the appointment or change of status forms as follows:

"The annual (AN) appointment basis is for the period of service in the position of _____ only. In addition, an administrative increment is provided in the amount of _____ for the period of appointment in this administrative role."

This language may be modified in the event that one or the other of these changes is inappropriate in any particular case.

A change to an administrative assignment requiring a change from an academic year (AY) appointment to an annual (AN) appointment basis will result in a salary 25 percent higher than the faculty member's academic year (AY) salary. If an administrative increment is appropriate, it should be added **after** the determination of the AN salary. If reassignment from administrative duties results in a shift from an annual (AN) appointment basis to an academic year (AY) appointment basis, the AY salary will be an amount equivalent to 80 percent of the current AN salary except that if an administrative increment exists, it should be deducted **before** the AN salary is changed to an AY basis. In every case, a shift from an administrative assignment to faculty duties shall result in withdrawal of any administrative increment.

The salary rate as a faculty member should be specified explicitly each year. The following statement should be communicated by the appropriate administrator to each faculty member with an administrative assignment on the occasion of annual salary increases:

"Your salary effective October 1, _____ will be _____ This includes an administrative increment of _____. Your salary rate on an academic year basis, excluding this administrative increment, is _____ effective October 1, _____."

This language may be modified if an annual year (AN) appointment basis or the addition of an administrative increment is not required by reason of administrative responsibilities.

ANNUAL EVALUATION OF CHAIRPERSONS/DIRECTORS

The following statement was issued by the Office of the Provost on September 21, 1981.

Annual performance evaluations to assess unit administrator performance have been formally instituted in each college and separately reporting unit. Annual performance evaluations generally occur near the end of the academic year, may be combined with the annual assessment of unit administrators for merit salary adjustments, and the results of each individual evaluation should be shared with the unit administrator evaluated. All aspects of performance, including equal opportunity/affirmative action, should be evaluated for each unit administrator. No specific procedure is required for these annual performance evaluations, as approaches may vary in the colleges/separately reporting units. A copy of the evaluation instrument (criteria) currently used by each dean (director) in annual evaluations must be filed with the Office of the Provost prior to each annual cycle of evaluations. Annually, each dean or separately reporting director will be asked to inform the Office of the Provost that an annual performance evaluation for each unit administrator has been completed. Deans and separately reporting directors will retain documentation on file in their offices concerning the process and outcomes of these annual performance evaluations.

EXTENSION, MEDICAL CARE AND OTHER FACULTY/ACADEMIC STAFF SERVICE ACTIVITIES

Michigan State University, as a land-grant institution, has long served the citizens of Michigan in a variety of ways in addition to teaching and research.

Today a substantial array of services is delivered to various

publics both on and off campus. Faculty/academic staff assignments often include an expectation of this kind of service which may range from very modest to full-time activity. Some of these services may generate revenue for the University from fees charged to the public, as in the case of health care services in the Colleges of Human, Osteopathic and Veterinary Medicine.

In other cases, as with the Cooperative Extension Service, the services are provided free to the public through funding from the Michigan legislature, local, county and municipal governments and the federal government. Faculty/academic staff should ascertain under which type of funding they are expected to deliver services and adhere closely to the procedures involved. Faculty/academic staff are protected as representatives of the University when delivering these formal University services, whether on or off campus.

ADDITIONAL WORK FOR PAY

The following policy was approved by the Board of Trustees on March 4, 1983.

Consulting and Other Outside Work

Full-time faculty members are compensated for full-time service to the University. They may have appointments in instruction, research, extension, public service, etc. and have assignments involving a combination of these responsibilities. Whatever the character of the appointments, the University expects that each full-time faculty member will carry a reasonable and full-time load, assuming a proper share of the total functions and responsibilities of the department, college and the University.

Through consulting relationships with government, industry, public organizations and others off campus, University employees can be an invaluable resource. The University encourages the lending of such assistance where it does not interfere with the employees' performance of University duties and where no conflict of interests exists.

The following guidelines are intended (1) to provide for certain employees to engage in a limited amount of outside work for pay and (2) to protect the integrity of the employee-University work relationship. Individual colleges or other units are authorized to establish lower maximum time limits for outside work for pay than stipulated in point 11, below, and to promulgate more specific guidelines or to require

additional reporting as their circumstances dictate.

1. "Outside work" is defined as work for other than Michigan State University.
2. In this context, "work" is understood to include consulting, advising, research, demonstrating, or teaching in the general area of competence for which the person is employed by the University. Not included is appearance on the program of a scientific or scholarly meeting attended mainly by professional peers.
3. Prior written approval of the department chairperson and dean must be obtained if the work is done during the regular employment period.
4. Outside work for pay shall be reported for full-time employees of the University.
5. Such work must not interfere with the faculty member's normal University duties, including those non-classroom responsibilities expected of all faculty members.
6. The work must be related to the faculty member's normal University duties, including those non-classroom responsibilities expected of all faculty members.
7. "Pay" is defined as any salary, fee, honorarium, or monetary gift or contribution beyond actual expenses.
8. The following classes of outside work for pay require authorization:
 - a. That performed during times considered to be normal working periods for the employee by the University unit in which the person is employed (to be determined by the unit administrator.)
 - b. That performed outside normal working periods but potentially affecting the performance of the person's University assignment (based on the judgement of the unit administrator).
9. If, in the opinion of the dean, the outside consulting work interferes with the regular University duties of the faculty member, the appointment of a temporary faculty member in the University may be changed to a part-time basis, and the tenure system faculty member may be requested to take a leave of absence.
10. Outside work for pay shall be authorized by the department chairperson and the dean or, in the case of faculty not assigned to colleges, the appropriate unit administrator.
 - a. Such work must contribute to the effectiveness of the faculty member's regular academic work for

the University.

- b. Equipment, supplies, materials, or clerical services of the University may not be used in the furtherance of outside work for pay.
11. The total amount of time expended by the faculty member on outside activities for pay and overload pay should not exceed 32 hours in any month. Under special circumstances and with permission of the dean or unit administrator, the monthly time limit may be exceeded, provided the aggregate of such time for the period of authorization does not exceed an average of 32 hours per month.
12. If consulting work for pay is undertaken, it must be with the understanding that it is subject to termination at any time the University considers such action to be advisable.
13. A special form is available from the departmental office for use by the employee seeking authorization to perform outside work for pay. Completed forms shall be maintained for three years in the dean's office (in the appropriate administrator's office for faculty not assigned to colleges.)

Each dean or other appropriate administrator is required to maintain a record in the dean's office of all consultative services of the academic personnel in the college or administrative division.

This policy cannot be used as the basis for establishing and maintaining a private practice or separate business by faculty.

Faculty members in the Colleges of Human Medicine, Osteopathic Medicine and Veterinary Medicine may engage in "outside work for pay" under this policy. However, private practice by faculty in the College of Veterinary Medicine is not approved. For faculty in the Colleges of Human Medicine and Osteopathic Medicine, if "outside work for pay" includes patient care or regularized administrative or consulting activities significantly related to, but not directly involved in the provision of patient care, the income derived therefrom is subject to the provisions of the Michigan State University Medical Service Plan of the College of Human Medicine and the College of Osteopathic Medicine, which follows next.

MEDICAL SERVICE PLAN FOR COLLEGES OF HUMAN MEDICINE AND OSTEOPATHIC MEDICINE

The following policy was approved by the Board of Trustees on July 30, 1976.

The Medical Service Plan for the Colleges of Human Medicine and Osteopathic Medicine provides a common framework within which professional fee income generated by faculty members of the two colleges is managed. This plan does not apply to the College of Veterinary Medicine. The plan was approved by the Board of Trustees July 30, 1976, and takes precedence over all previously existing plans.

The purpose of the plan is to improve the means to supplement basic support for programs of the medical colleges; sustain and enhance faculty incentives to engage in patient care which benefits educational programs, the public and the professional development of the faculty; and make it financially feasible to recruit and retain highly capable faculty necessary to develop and sustain quality programs.

The principles of the Medical Service Plan include:

1. The plan policies, rules and procedures and practices conform to established University policies, procedures and practices.
2. Plan income is University revenue.
3. Involvement of departmental chairpersons and faculty shall conform to the *Bylaws for Academic Governance*.
4. Plan income shall cover costs of the plan relating to administration, billing, and collecting, and costs of practice.
5. Net income shall be used as authorized within approved guidelines of the Health Services Related Component (HSRC) and for program support.
6. A ceiling limit shall be set for personal income that is commensurate with comparative medical schools and allowing for differences in compensation for rank, experience, specialty, and professional competencies.
7. Under the plan faculty may engage in outside work for pay under established University policy.
8. The plan will be subject to annual review during the first three years of its operation and thereafter reviewed at least once every three years.

OVERLOAD PAY

The following University policy was approved by the Board of Trustees on October 16, 1970 and revised on June 12, 1987 (A college may establish a more restrictive policy.)

1. Overload pay is limited to overload work related to instruction and service activities.
2. Overload pay assignments require prior written approval of the chairperson/director of the applicable department/school and the dean of the applicable college/director of the separately reporting unit. Requests must describe the proposed activity and be accompanied by a completed "Additional Work for Pay" form. (See point 3, below.)
3. In accordance with the provisions of the policy on Additional Work for Pay, full-time faculty members are eligible for either paid consulting time or overload pay time, or a mixture of both, subject to stipulated limits (see policy on Additional Work for Pay).
4. An overload assignment must meet the following minimum criteria:
 - a. Overload pay is appropriate since the designated faculty/academic staff member is fully assigned in the department, school or other unit and is satisfactorily performing assigned duties;
 - b. The proposed assignment, in the opinion of the chairperson/director in consultation with the dean, represents a substantial increase over and above the faculty/academic staff member's regularly assigned duties, thus warranting the provision of overload pay.
5. Overload pay must be approved by the chairperson/director of the department or school and dean of the college/director of the separately reporting unit in which the faculty/academic staff member is appointed. Annually the Office of Planning and Budgets shall provide to the Office of the Provost and the deans a summary of overload pay disbursements made in the prior fiscal year.
6. During the summer, individuals appointed on an academic year basis may receive up to 30% of their previous year's salary for a full-time assignment in teaching, research and service. In addition, pursuant to the provisions of this policy, they may be eligible to

receive overload pay.

7. Administrators (chairpersons, directors, deans, vice presidents (provost), including all the previous with assistant or associate titles) may receive overload pay for assignments related to their disciplines and professions but normally not for assignments related to their administrative positions.
8. In recognition of collegial expectations usual in a community of scholars, payment of honoraria to MSU faculty/academic staff members for talks, seminars, etc., provided in usual classroom/seminar settings is not permitted.
9. Major administrative units may establish a more restrictive policy. Assignments which might normally justify the payment of overload pay may, by mutual agreement, be compensated for by subsequent release time for research, through the assignment of additional graduate assistants/other support staff or other programmatic support.

V. INSTRUCTION

GENERAL STATEMENT

This section provides a broad overview of selected policies and procedures of particular relevance to faculty and academic staff. Additional information on instructional policies and procedures appears in the *MSU Catalog: Academic Programs and Descriptions of Courses*. Faculty/academic staff members are urged to consult these publications.

ABROGATION OF FACULTY TEACHING RESPONSIBILITY

The following policy was accepted by the Board of Trustees on September 20, 1970 and revised on June 12, 1987.

Any member of the instructional staff* who fails to fulfill any provision of the University's *Code of Teaching Responsibility* shall be held accountable.

It is the responsibility of the department chairpersons, school directors, and deans to ensure that students are provided the instruction to which they are entitled. All absences by instructional staff should be covered by other instructional staff, where possible and appropriate, so that students will not lose instructional time.

It is the responsibility of department chairpersons and school directors to determine if services have been withheld without proper cause and, if so, to report the precise details of such alleged withholding of services. This report should be made to the dean of the college, with a copy to the Provost, and should include information as to the total load of the instructional staff member so that an estimate can be made of the percentage of service that has been allegedly withheld. The

*The term *instructional staff* includes tenure system faculty, graduate assistants and all other individuals holding academic personnel system appointments.

Provost or designee shall review the contents of the report with the dean of the college and the applicable department chairperson/school director and shall discuss the matter with the affected instructional staff member.** The Provost or his/her designee shall determine if the withholding of services was improper and may direct an appropriate deduction from the instructional staff member's salary. The instructional staff member, academic staff member, or graduate assistant shall be informed of this action in writing.

If the faculty or academic staff member believes that the action is a violation, misinterpretation, or misapplication of existing University policies and legislation, he/she may initiate a grievance under the *Interim Faculty Grievance Procedure*. Graduate assistants may initiate a grievance in accordance with judicial procedures stipulated in the document entitled, *Graduate Students' Rights and Responsibilities*.

**if the instructional staff member is not available for this conference, the procedure continues without this participation by the instructional staff member. A reasonable effort shall be made by the Provost to arrange for this conference.

ACADEMIC ADVISEMENT, ENROLLMENT, REGISTRATION AND COUNSELING

On January 20, 1966, the Educational Policies Committee distributed a statement entitled "Policy Recommendations on Academic Advising". It included the following definitions:

Academic Advisement - Academic advisement is a continuing process in which a student and a faculty member discuss possible options; first, in the student's total educational program; second, in specific curricular fields; and third, in potential careers, in order that the student may make more intelligent choices.

Enrollment - Enrollment is a student responsibility in selecting courses for a term schedule from the student's Academic Progress Plan previously developed but continually reviewed with the academic adviser.

Registration - Registration is a mechanical process directed by the Registrar's office to admit students to courses, to allot students to specific class sections, collect fees, and to prepare records for staff use.

Counseling - Counseling is a service available from the Counseling Center to help students adjust to social and personal problems encountered while enrolled in the University, and to identify potential occupational choices.

Several policy recommendations were approved by the Academic Council on February 8, 1966, among them:

Each department shall develop a system of advisement of students within the context of the structure of the college and/or department consistent with the following:

1. Academic advising is a responsibility of faculty, but the division of responsibility (for example, relative emphasis on graduate versus undergraduate advising, number of advisees per faculty member, etc.) should be determined through mutual agreement between faculty and deans and/or department chairpersons in each college and/or department.
2. Excellence and effort in advising are to be recognized by chairpersons and deans, as well as by the provost, as an integral part of a faculty member's assignment.
3. Procedural provisions are to be made at the departmental and college level for the availability of academic advisors at times in addition to those scheduled for enrollment and registration.

4. Students are responsible for studying and knowing University, college, and department requirements as stated in the catalog. They shall also prepare tentative academic plans for review by their academic advisers.
5. With efficient use of faculty and student time as prime considerations, the registrar should continue to develop improvements in the registration procedures, schedule pre-enrollment as late in the term as practical, and consult operations specialists for assistance in the mechanics of registration.

Procedures developed by the colleges for guidance of faculty involved in student advising are available in college offices.

The *Academic Programs* section of the MSU Catalog contains definitive information regarding academic advisement, enrollment, registration and counseling in the pages titled "Undergraduate Education."

ACADEMIC APPAREL

Faculty members are expected to provide their own academic apparel for use at commencement exercises and other ceremonies when such apparel is appropriate. University funds may not be used for the purchase or rental of academic apparel for faculty.

THE ACADEMIC PROGRAM

The Michigan State University Catalog, available in the Office of the Registrar, is comprised of two separate volumes: *Academic Programs* and *Descriptions of Courses*.

The publication entitled *Academic Programs* describes programs of study and the structure of the University and is the primary source for University regulations and policies concerning instruction. The "Undergraduate Education" section states the academic requirements and policies concerning undergraduate study, the "Graduate Education" section refers specifically to graduate study. The "General Information" section provides information such as costs, attendance, examinations, grading system, integrity of scholarship and grades. Information about campus, student housing, campus activities, student organizations and services also is included. Admission and graduation requirements for programs in the individual colleges at both the undergraduate and graduate levels are described in

the section "The Colleges and Programs of Study." *Descriptions of Courses* provides information about the courses offered by the departments, schools and colleges. *Schedule of Courses* is published before the beginning of each term and is available in the Office of the Registrar. It provides current information on enrollment and registration procedures, the schedule of courses and the schedule for final examinations. In addition, this publication provides selected updated information on courses, University regulations, the academic calendar, and administrative procedures.

CODE OF TEACHING RESPONSIBILITY

The Code which follows was approved by the Academic Senate on May 19, 1976.

The teaching responsibilities of instructional staff members (herein referred to as instructors) are among those many areas of University life which have for generations been a part of the unwritten code of academicians. The provisions of such a code are so reasonable to learned and humane individuals that it may appear redundant or unnecessary to state them. However, the University conceives them to be so important that performance by instructors in meeting the provisions of this code shall be taken into consideration in determining salary increases, tenure, and promotion.

1. Instructors are responsible for insuring that the content of the courses they teach is consistent with the course descriptions approved by the University Committee on Curriculum and the Academic Council. Instructors are also responsible for stating clearly to students in their classes the instructional objectives of each course at the beginning of each term. It is expected that the class activities will be directed toward the fulfillment of these objectives and that the bases upon which student performance is evaluated will be consistent with these objectives.
2. Instructors are responsible for informing students in their classes of the methods to be used in determining final course grades and of any special requirements of attendance which differ from the attendance policy of the University. Course grades will be determined by the instructor's assessment of each student's individual performance, judged by standards of academic achievement.
3. Examinations and other assignments submitted for grading during the term should be returned with

sufficient promptness to enhance the learning experience. Unclaimed final examination answers will be retained by the instructor for at least one term so that they may be reviewed by students who desire to do so. Examination questions are an integral part of course materials, and the decision whether to allow their retention by students is the responsibility of the instructor. Term papers and other comparable projects are the property of students who prepare them. They should be returned to students who ask for them and those which are not returned should be retained by the instructor for at least one term. Instructors who desire to retain a copy for their own files should state their intention to do so in order that students may prepare additional copies for themselves.

4. Instructors are expected to meet their classes regularly and at scheduled times. Instructors will notify their units if they are to be absent and if appropriate arrangements have not been made, so that suitable action may be taken by the unit if necessary.
5. Instructors of courses in which assistants are authorized to perform teaching or grading functions shall be responsible for acquainting such individuals with the provisions of this Code and for monitoring their compliance.
6. Instructors are expected to schedule and keep a reasonable number of office hours for student conferences. Office hours should be scheduled at times convenient to both students and instructors with the additional option of prearranged appointments for students when there are schedule conflicts. The minimum number of office hours is to be agreed upon by the teaching unit, and specific times should be a matter of common knowledge.
7. Instructors who are responsible for academic advising are expected to be in their offices at appropriate hours during pre-enrollment and enrollment periods. Arrangements shall also be made for advising during registration.

Hearing Procedures

The procedures stated below were approved by the Academic Senate on May 18, 1977.

1. Students may register complaints regarding an instructor's failure to comply with the provisions of the

Code of Teaching Responsibility directly with that instructor.

2. Students may also take complaints directly to chief administrators of teaching units or their designates.* If those persons are unable to resolve matters to the student's satisfaction, they are obligated to transmit written complaints to unit committees charged with hearing such complaints. A copy of any complaint transmitted shall be sent to the instructor. A written report of the action or recommendation of such groups will be forwarded to the student and to the instructor, normally within ten working days of the receipt of the complaint.
3. Complaints coming to the University Ombudsman* will be reported, in writing, to chief administrators of the teaching units involved when, in the Ombudsman's opinion, a hearing appears necessary. It will be the responsibility of chief administrators or their designates to inform the instructor and to refer such unresolved complaints to the unit committees charged with hearing such complaints. A written report of the action or recommendation of such groups will be forwarded to the University Ombudsman, to the student, and to the instructor, normally within ten working days of the receipt of the complaint.
4. Students wishing to appeal a teaching unit action or recommendation may do so as outlined in the *Academic Freedom Report for students at Michigan State University*.

* Note: Such complaints must normally be initiated no later than mid-term of the quarter following the one wherein alleged violations occurred. Exceptions shall be made in cases where the involved instructor or student is absent from the University during the quarter following the one wherein alleged violations occurred.

PARTICIPATION IN COMMENCEMENT

Commencement ceremonies are held at the end of Fall, Winter, and Spring terms. Each term a centralized ceremony is held for graduate degree recipients. Centralized baccalaureate degree ceremonies are held at the end of Fall and Winter terms. Decentralized, college level ceremonies for undergraduates are held at the end of Spring term.

For the graduate commencement ceremony each term, department/school chairpersons and major professors or

faculty advisors having students as candidates for advanced degrees are requested to participate.

For the baccalaureate degree ceremony at the end of Fall and Winter terms, 300 members of the faculty are expected to participate. The Commencement Committee, using the distribution of Academic Senate members as a guide, prepares and distributes college, department and school quotas to meet the required number. Deans, chairpersons, and directors are responsible for meeting these quotas. Each college establishes its own expectations for faculty participation in the decentralized baccalaureate ceremonies at the end of Spring term.

RELIGIOUS HOLIDAYS

It has always been the policy of the University to permit students and faculty/academic staff to observe those holidays set aside by their chosen religious faith.

The faculty and staff should be sensitive to the observance of these holidays so that students who absent themselves from classes on these days are not seriously disadvantaged. It is the responsibility of those students who wish to be absent to make arrangements **in advance** with their instructors. It is also the responsibility of those faculty who wish to be absent to make arrangements in advance with their chairpersons, who shall assume the responsibility for covering their classes.

To assist faculty and staff in determining when these requests might arise, many dates are listed in the Academic and Administrative Calendar which is distributed each fall to all faculty and staff members in the *Faculty/Staff Directory*.

RIGHTS OF STUDENTS TO RECEIVE INSTRUCTION

The Academic Council on May 12, 1970 approved a resolution which reaffirmed the Code of Teaching Responsibilities and the provisions of the report, "Academic Freedom for Students at Michigan State University." It reaffirmed:

1. The right of faculty members to conduct classes, and of students to participate in those classes, without interference or disruption.
2. The right of every student to a satisfactory fulfillment of the contract entered into at the beginning of the

- term.
3. The right of faculty members to dissent without jeopardizing their livelihood, and the right of students to dissent without jeopardizing their degree.
 4. Freedom of conscience for all members of the academic community.
 5. The Academic Council also requests its Educational Policies Committee (now University Committee on Academic Policy) to recommend policies regarding grades for students who absent themselves from classes in order to exercise the right to dissent.
 6. If, as a result of death, illness, leave of absence, consultation or any other reason, an instructor is unable to provide for students the instruction for which they enrolled, it is the responsibility of the department, together with the college and the University, to provide every student with the "satisfactory fulfillment of the contract entered into at the beginning of the term."

STUDENT INSTRUCTIONAL RATING SYSTEM

The Student Instructional Rating System provides an opportunity for students to evaluate the instruction they receive in relation to (1) the provisions of the Code of Teaching Responsibility, and (2) the various instructional models in operation in the University. The purpose of this system is to provide student input toward assessing and improving course design and teaching performance. The University and individual departments are responsible for designing and administering their respective survey forms to obtain such evaluations. The results of these surveys are made available to the instructor and to persons involved in personnel decisions, but are not made public.

The revised Student Instructional Rating System Policy which follows was approved by the Academic Council on March 6, 1979:

Preamble

The principal objective of the Student Instructional Rating Policy is to secure information which is indispensable to implementation of the University's policy of providing its students with instruction of the highest quality. This information is put to two principal uses: (1) providing instructors and teaching units with an accurate account of student response to

their instructional practices, to the end that classroom effectiveness be maintained at the highest level of excellence; and (2) providing teaching units with one kind of information to be considered in deciding on retention, promotion, salary, and tenure, to the end that effectiveness in instruction constitutes an important criterion in evaluating the service to the University of members of the teaching faculty. In order to accomplish these objectives more fully, the following procedures are established to replace the provisions previously in effect.

1. Every teaching unit shall approve one or more common student rating instruments through its own channels of participation, in accordance with unit bylaws and customs of collegial decision making. Regardless of the type of instrument adopted, it must prominently display the following notation:

The Michigan State University CODE OF TEACHING RESPONSIBILITY holds all instructors to certain obligations with respect to, e.g., course content consistent with approved descriptions, timely statement of course objectives and grading criteria, regular class attendance, published office hours, and timely return of examinations and term papers. This Code is printed in full in the *Catalog* and *Schedule of Courses*. It includes specifics about complaint procedures available to students who believe that their instructors have violated the Code.

2. Each teaching unit shall make regular and systematic use of student instructional ratings as part of the unit's evaluation of instructional performance. Each teaching unit shall formulate and promulgate a comprehensive policy covering all aspects of student instructional rating procedures, and shall be responsible for implementing that policy within the framework of the provisions contained in this document. Students shall not be required or requested by faculty members to identify themselves on rating forms.
3. All instructors, regardless of rank, including graduate assistants, shall use unit-approved student instructional rating forms in all classes (every course, every section, every term). For team-teaching situations, units shall develop procedures consistent with the intent of these provisions.
4. Individual instructors may use other instruments to gather additional information.

5. Results of student instructional ratings shall be used in accordance with the following provisions:
 - a. Results shall be returned promptly to the instructor for information and assistance in improving course design and instruction.
 - b. Instructors shall have the opportunity to comment, orally and/or in writing, upon the ratings received. These comments shall be taken into account by persons or groups charged with making or advising on personnel decisions.
 - c. Results of student instructional ratings shall be systematically consulted, with due regard for strict confidentiality, in conjunction with other means for assessing individual effectiveness, according to the review criteria promulgated within each unit. Other means might include, e.g., classroom visits or consideration of course syllabi, assignments, and examinations.
6. Procedures for implementing the rating process and for utilizing the results shall be promulgated by each teaching unit, subject to the following provisions:
 - a. Duly promulgated unit procedures shall be filed in the offices of the appropriate dean and the provost, where they will be matters of public record.
 - b. Unit administrators are responsible for implementing in their units SIRS procedures which follow fully the requirements of this document.
 - c. Teaching units may have the required SIRS instruments administered by a person other than the instructor. If the unit does not administer the instruments, instructors are obligated to do so, and to return all results to unit offices within the time period specified in unit procedures.
 - d. At the time instruments are administered, students shall be informed who will have access to the results and how the results will be used.

Departments may choose to use the form available in the Scoring Office, 104 South Kedzie, telephone 355-1819.

THREATS TO A FACULTY MEMBER

The following statement was developed and approved by the University Committee on Faculty Affairs, March 14, 1978.

It may happen on occasion that a faculty member is threatened by a student with harm as a result of some action such as a low grade or an adverse recommendation the faculty member has taken affecting the student. Since situations which might occasion such threats vary widely, as do the personalities of those who may make or receive the threat, it is difficult to prescribe any simple, generally appropriate response. However, the following suggestions may be helpful in dealing with such threats.

Any threat should be reported immediately and in writing to the department chairperson. If the threat creates a sense of urgency, it should also be reported at once to the Director of Public Safety, 355-2223.

The student should be made aware of others, such as the department chairperson or the Ombudsman, who could help in obtaining redress. At the time the threat is made, the faculty member should indicate a willingness to consider carefully what the student says. If the student's concern appears to be unjustified and the remedy being sought unreasonable, the faculty member should declare a willingness to consult with others before taking further action. Indiscriminate discussion of the incident is to be avoided.

VI. RESEARCH AND CREATIVE ENDEAVOR

GENERAL STATEMENT

The search for new information and understanding is as important to the University as the transmission of existing knowledge and understanding. A number of programs, services and policies encourage faculty creative activities. Consistent with the land-grant philosophy, cooperative efforts in theoretical and applied research stimulate both disciplinary and interdisciplinary endeavors. The Office for Research Development facilitates such endeavors. Creativity in the arts as well as basic and applied research are faculty activities, expected and encouraged by the University.

SPONSORED RESEARCH AND CREATIVE ENDEAVOR

The academic governance structure and the Board of Trustees have approved the following general statement and guidelines concerning sponsored research.

Basic Policies

The recognized educational objectives of Michigan State University include, as equally important goals, the discovery of new knowledge through fundamental research and the dissemination of existing knowledge. The increasingly complex relationships among universities, government and industry call for more intensive attention to standards of procedure and conduct in government-sponsored research and industry-sponsored research carried on at universities. Standards for sponsored research must be respectful of the purposes, needs and integrity of the universities and the rightful claims of the public interest; thus it is incumbent upon the academic community to be mindful of conflict-of-interest situations which may arise in these growing involvements of the University.

General Statement

The University encourages faculty/academic staff members and students to engage in research, including that sponsored by

such outside agencies as foundations, professional associations, government, and private industry, for it is only through continued and expanding research activity that the excellence of teaching programs can be maintained and improved, and the function of the University as a contributor to the storehouse of knowledge fulfilled. Important reciprocal benefits from sponsored research accrue to the University and to sponsoring agencies if the basic purposes and functions of each are duly respected.

Consulting Relationships

Through consulting relationships with government and industry, the faculty can provide both with an invaluable resource of expertise and assistance in the transfer of technical knowledge and skill, and at the same time serve the interests of research and education in the University. Such relationships are desirable, but require cognizance of the basic differences of purposes and functions of sponsoring agencies and the University.

Major Guidelines

The following statement was approved by the Graduate Council on May 15, 1967 and by the Board of Trustees on March 20, 1970.

1. Science advanced through the creativity of scholars working either singly or in groups, and research projects proposed and developed by the faculty and consistent with the University's goals will be encouraged.
2. Sponsoring agencies frequently have rather specific purposes, and some may even specify problems for which research support is available. The University, through the Office of Research Development, will make such opportunities known appropriately within the University. However, faculty will be encouraged to participate only if the projects are considered consistent with their research interests and aspirations.
3. Sponsored research projects should, whenever possible, include the provision that new and promising leads of inquiry should be encouraged and fruitless lines be discontinued.
4. Sponsored research projects should be consistent with the policies and missions of the department(s) and of the colleg(e)s in which the research will be conducted.

The research should be directed by faculty within established units of the University such as departments, schools, centers, bureaus and institutes. Cooperative programs cutting across academic units are also encouraged.

5. Research projects should be managed so as to avoid disruption of established research and teaching programs of the institution, for example:
 - a. Sponsored research should be accepted only if appropriate space and facilities are available.
 - b. As appropriate, provisions should be made for continuity of support in order to stabilize required staff.
6. Reports to sponsoring agencies should be consistent with the requirements of the project. They should be submitted promptly to avoid unprofitable expenditures of time and energy on the part of the sponsoring agency and the researcher. Payment to the University on fixed price contracts is contingent upon submission of reports which, if not forthcoming, may result in "freezing" large sums of University funds in support of such research. Rapidly changing and unforeseen research directions may make frequent reporting desirable.
7. In seeking or accepting support for research, care should be exercised to insure compatibility with the functions and purposes of research at the University. Routine testing as an end in itself is considered incompatible with the purposes of University research.
8. The University should retain for its scholars the right of first publication. The imposition of restriction on publication of research results is incompatible with the basic concept of an educational institution. Exigencies of national defense may at times make exceptions to this policy on publication necessary. No publication, statement, or activity, either on behalf of the University or by an individual in their official capacity, shall endorse any commercial product, or advocate any specific commercial method or device, either directly or by implication.
9. The University should make a continuous effort to see that its own members are provided with sufficient information on overall cost of research and other financial matters concerning grants and contracts so as to minimize internal misconceptions that arise with regard to justifiable allowances for indirect costs.
10. The entire cost of sponsored research should be carefully determined; if grants or contracts are

accepted which do not cover the direct and indirect costs, the institution should itself provide the additional financial support with the full recognition that it is making a contribution to the cost of the work.

11. Research proposals should include in their budgets provisions for special costs for services such as computer operations, electron microscopy, publishing costs, and shop fabrications.
12. Research projects must conform to established University policy on patent rights. (See section on Patents)
13. Research projects which involve use of animals, human subjects or hazardous substances such as toxic compounds, infectious agents, explosives, radioactive isotopes or recombinant DNA, etc. must conform to current University policies and guidelines. (Consult Office of Vice President for Research and Graduate Studies.)

CONFLICT SITUATIONS

Complementary to its policy with reference to "Additional Work for Pay," on March 20, 1970, the Board of Trustees adopted the statement on conflict situations published in December, 1964, as a joint statement by the council of the American Association of University Professors and the American Council on Education entitled, "On Preventing Conflicts of Interest in Government-Sponsored Research at Universities." This section is reprinted below.

1. FAVORING OF OUTSIDE INTEREST. When a university staff member (administrator, faculty member, professional staff member, or employee) undertaking or engaging in Government-sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, it is important to avoid actual or apparent conflicts of interest between the Government-sponsored university research obligations and the outside interests and other obligations. Situations in or from which conflicts of interest may arise are the:
 - a. Undertaking or orientation of the staff member's university research to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the university and to the sponsoring agency;

- b. Purchase of major equipment, instruments, materials, or other items for University research from the private firm in which the staff member has the interest without disclosure of such interest;
- c. Transmission to the private firm or other use for personal gain of Government-sponsored work products, results, materials, records, or information that are not made generally available. (This would not necessarily preclude appropriate licensing arrangements for inventions, or consulting on the basis of Government-sponsored research results where there is significant additional work by the staff member independent of the Government-sponsored research);
- d. Use for personal gain or other unauthorized use of privileged information acquired in connection with the staff member's Government-sponsored activities. (The term "privileged information" includes, but is not limited to, medical, personnel, or security records of individuals; anticipated material requirements or price actions; possible new sites for Government operations; and knowledge of forthcoming programs or of official announcements);
- e. Negotiation or influence upon the negotiation of contracts relating to the staff member's Government-sponsored research between the university and private organizations with which the staff member has consulting or other significant relationships;
- f. Acceptance of gratuities or special favors from private organizations with which the university does or may conduct business in connection with a Government-sponsored research project, or extension of gratuities or special favors to employees of the sponsoring Government agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties.

2. DISTRIBUTION OF EFFORT. There are competing demands on the energies of a faculty member (for example, research, teaching, committee work, outside consulting). The way in which the faculty member divides his/her effort among these various functions does not raise ethical questions unless the Government agency supporting the research is misled in its

understanding of the amount of intellectual effort the faculty member is actually devoting to the research in question. A system of precise time accounting is incompatible with the inherent character of the work of a faculty member, since the various functions the faculty member performs are closely interrelated and do not conform to any meaningful division of a standard work week. On the other hand, if the research agreement contemplates that a staff member will devote a certain fraction of his/her effort to the Government-sponsored research, or the faculty member agrees to assume responsibility in relation to such research, a demonstrable relationship between the indicated effort or responsibility and the actual extent of the involvement is to be expected. Each university, therefore, should--through joint consultation of administration and faculty--develop procedures to assure that proposals are responsibly made and complied with.

3. **CONSULTING FOR GOVERNMENT AGENCIES OR THEIR CONTRACTORS.** When the staff member engaged in Government-sponsored research also serves as a consultant to a Federal agency, the conduct is subject to the provisions of the Conflict of Interest Statutes (18 U.S.C. 202-209 as amended) and the President's memorandum of May 2, 1963 *Preventing Conflicts of Interest on the Part of Special Government Employees*. When the staff member consults for one or more Government contractors, or prospective contractors, in the same technical field as the research project, care must be taken to avoid giving advice that may be of questionable objectivity because of its possible bearing on other interests. In undertaking and performing consulting services, the staff member should make full disclosure of such interests to the university and to the contractor insofar as they may appear to relate to the work at the university for the contractor. Conflict of interest problems could arise, for example, in the participation of a staff member of the university in an evaluation for the Government agency or its contractor or some technical aspect of the work of another organization with which the staff member has a consulting or employment relationship or a significant financial interest, or in an evaluation of a competitor to such other organization.

University Responsibility

Each university participating in Government-sponsored research should make known to the sponsoring Government agencies:

1. The steps it is taking to assure an understanding on the part of the university administration and staff members of the possible conflicts of interest or other problems that may develop in the foregoing types of situations, and
2. The organizational and administrative actions it has taken or is taking to avoid such problems, including:
 - a. Accounting procedures to be used to assure that Government funds are expended for the purposes for which they have been provided, and that all services which are required in return for these funds are supplied;
 - b. Procedures that enable it to be aware of the outside professional work of staff members participating in Government-sponsored research, if such outside work relates in any way to the Government-sponsored research;
 - c. The formulation of standards to guide the individual university staff members in governing their conduct in relation to outside interests that might raise questions of conflicts of interest; and
 - d. The provision within the university of an informed source of advice and guidance to its staff members for advance consultation on questions they wish to raise concerning the problems that may or do develop as a result of their outside financial or consulting interests, as they relate to their participation in Government-sponsored university research. The university may wish to discuss such problems with the contracting officer or other appropriate Government official in those cases that appear to raise questions regarding conflicts of interest.

The above process of disclosure and consultation is the obligation assumed by the university when it accepts Government funds for research. The process must, of course, be carried out in a manner that does not infringe on the legitimate freedoms and flexibility of action of the university and its staff members that have traditionally characterized a university. It is desirable that standards and procedures of the kind discussed be formulated and administered by members of

the university community themselves, through their joint initiative and responsibility, for it is they who are the best judges of the conditions which can most effectively stimulate the search for knowledge and preserve the requirements of academic freedom. Experience indicates that such standards and procedures should be developed and specified by joint administrative-faculty action.

INTERIM GUIDELINES FOR POTENTIAL CONFLICTS OF INTEREST IN ACADEMIC AREAS OF THE UNIVERSITY

Commercialization by faculty/academic staff of their research poses special conflict of interest possibilities. These are dealt with through the following Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University approved by the Board of Trustees on October 22, 1982.

I. Preamble

Universities have very important roles in the societies which support them. Among these roles is honest and candid assessment of ideas, facts, the state of knowledge and of assessments made by other groups or organizations. This important role of certifying the accuracy, validity or status of information is only possible if those who perform the task are, and are perceived to be, free from bias and conflicts of interest.

Further, faculty and academic administrators in accepting full-time University appointments thereby make a commitment to the University that is understood to be full-time. Every academic member of the University is expected to accord the University his or her primary professional loyalty, and to arrange outside obligations, financial interests and activities so as not to conflict with this overriding commitment to the University.

At the same time, involvement of University professionals in outside professional activities, both public and private, often serves not only the participants but the University as a whole and the public interest as well. Further, a land-grant university such as Michigan State University is expected to be broadly engaged in facilitating the application of knowledge to new and improved technologies and to meet the needs of society for its improvement and enrichment.

The potential for real and perceived conflicts of interest and conflicts of commitment that can arise when academic employees are simultaneously involved in more than one

organization must be clearly identified by the individuals themselves and made known to their chairpersons, deans or other administrators so that any potentially detrimental influences can be avoided.

The University already has several sets of policies and procedures for guiding activities in these areas. Among these are the *Bylaws of the Board of Trustees*, the *MSU Faculty Handbook*, Faculty and University Rights in University Sponsored Instructional Materials, Michigan State University Patent Policy, Basic Policies for Sponsored Research and Consulting Relationships, Additional Work for Pay, and others. It is the academic employee's responsibility to be aware of the content of these policies and guidelines, and when in doubt, to refer the full details of the matter to an appropriate academic administrator.

The growing frequency with which current or prospective faculty research provides a point of departure for commercial development of a technology is bringing new exposure of academic employees to potential conflicts of interest and conflicts of commitment. The University wishes to encourage the emergence of new high technology industries while avoiding the problems that potential conflicts of interest can bring. The following interim guidelines will provide a framework for handling these potential conflicts. Following review of these interim guidelines by appropriate academic governance committees, existing policies and guidelines will be amended to provide for these special cases.

II. Supplemental Guidelines and Procedures for Addressing Potential Conflicts of Interest and Conflicts of Commitment when Dealing with Firms in which MSU Faculty Have an Interest

A. Definitions:

- 1. Conflicts of Interest** are situations in which University employees may have an opportunity to influence University administrative, business or academic decisions in ways that could lead to personal gain or give improper advantage to others.
- 2. Conflicts of Commitment** are situations in which a University employee's external activities, often valuable in themselves, and even when they result in no personal gain or improper advantage for others, nevertheless interfere improperly with his or her paramount obligations to students, colleagues and the University.

B. Proposed Guidelines and Procedures

1. The applicable laws of the federal government and the state of Michigan and policies of the Board of Trustees of Michigan State University shall control University guidelines and practices for addressing potential conflicts of interest.
2. Where faculty are participating in a firm wishing to negotiate a patent or copyright license or a contract involving some of those faculty, full written disclosure is required of all aspects of any and all participating faculty member(s)' relationship with that firm. Such written disclosure must be provided by the faculty member(s) and/or the company before any agreements with the company can be completed. Disclosed information must be provided in writing to the department chairperson, dean and the University officers negotiating the particular agreement under consideration.
3. If disclosure reveals that the potential for conflicts of interest is of a *de minimus* nature, the cognizant University officers may proceed to negotiate agreements and to institute appropriate safeguards. If the disclosures reveal that the potential for other than *de minimus* conflicts of interest or conflicts of commitment are present, an agreement may not be completed without a formal prior report by the president to the Board of Trustees. If acceptable means can be assured for avoiding undesirable consequences of the conflict situations, the president shall inform the Board of the proposed procedures. The Board may delegate the decision to approve the agreement to the president or reserve it for themselves.
4. *De minimus* potential for conflicts of interest shall be deemed to exist if a), b) or c) prevail:
 - a. There is only one MSU faculty member involved with the company and all five of the following are true:
 1. The faculty member and his or her immediate family cumulatively own or have options to buy less than five (5) percent of the company's voting stock,
 2. The faculty member holds no executive office in the company and is not a member nor an officer of its Board of Directors,
 3. The faculty member contemplates no consulting arrangement with the company that exceeds the University's upper limits on number of days per month or the upper limits for rates of pay for consultants of

comparable expertise and experience in the field,

4. The faculty member agrees in writing to make no changes in any of these relationships during the period of any agreement between the company and the University without prior notice to and approval of the University,
5. The faculty member agrees to report annually to the chair, dean and cognizant University officer on the agreement concerning his/her relationships with the company.

- OR -

b. If there are two or more MSU faculty members with relationships to the company and all five of the following are true:

1. They and their families collectively do not own or have options to buy more than thirty (30) percent, nor individually own or have options to buy more than five (5) percent of the company's voting stock,
2. They hold no executive offices nor board memberships nor board office in the company,
3. They contemplate no consulting agreements that exceed University limits on days per month or exceed the rate paid to other consultants of comparable expertise and experience in the field,
4. They each agree in writing not to change their relationships with the company without notification of and prior approval by the University,
5. They each annually report to the cognizant University officer responsible for managing the agreement with the company concerning their relationships with the company.

- OR -

c. A faculty member agrees to reduce his/her appointment in the department during the period of potential conflict and this is approved by the chairperson, dean and provost.

5. Other than *de minimus* potential conflicts of interest are those situations which exceed the limits outlined in B.4. These are to be handled as stated in B.3

FACILITATION OF RESEARCH AND CREATIVE EFFORTS

Departmental and college facilities and resources are available in most units to partially support research and creative efforts of the faculty. In addition, the University maintains an array of facilities and programs which can be drawn upon for support. These include the Library, the Office of Research Development, various divisions such as the Computer Laboratory, Office of Radiation, Chemical and Biological Safety, Instructional Media Center, Instructional and Public Television Services, etc. and various centers and institutes for facilitating multi- and interdisciplinary research projects. Solicitation of funds for research by the faculty is encouraged within established policies and procedures.

THE OFFICE OF RESEARCH DEVELOPMENT

This office will assist faculty in a variety of ways:

1. It helps faculty identify both on- and off-campus research support.
2. It clears all proposals soliciting outside funding, after they are routed through the chairperson and dean.
3. It clears formal contact with private foundations, in order to keep an accurate all-University record of funding requests.
4. It coordinates the peer review of the scholarly merit of faculty proposals to the MSU Foundation.

ALL-UNIVERSITY RESEARCH FUNDING

Internal grants for support of research and creative projects are of two types.

First, most but not all college offices make grants to faculty members using individual college guidelines as to purpose and grant size. Applications for college-level grants are made in the spring through the individual college offices. Specific college guidelines on amounts and renewals should be obtained prior to proposal preparation. College-level grants must conform to University guidelines printed on the back of the application form.

Second, University-wide competitive grants are available for initiation of research and creative projects. Applications for

University-level Research Initiation Grants are invited in early spring term for July 1 awards and in early fall term for January 1 awards. In comparison with college-level grants, these grants are fewer in number, larger in size, and not renewable. They are designed explicitly to bring a research or creative project to a state where it can compete more successfully for external funding for its continuation.

Final reports are expected from faculty receiving University support.

THE MSU FOUNDATION

Approaches to the MSU Foundation should be made using the same procedures as for approaching outside funding sources. The Office of Research Development coordinates the peer review of the scholarly merit of faculty proposals to the MSU Foundation. Deadline and funding dates for the MSU Foundation are the same as for the University-level Research Initiation grant competition described above.

The guidelines used and characteristics sought by the Committee on Review of Proposals in considering all projects are:

1. Applicants. Only administrative units, regular faculty and full-time University administrative personnel shall qualify for support.
2. Continuity. Support will generally be limited to a one, two or three-year period contingent upon the nature of the project. If a continuing program or a longer period of support is needed for project completion, support by the academic unit or from some other source must be found.
3. Realistic Requests. The Foundation is committed to broad University support in the categories listed below and cannot normally provide large grants to single projects. Modest but meaningful projects are the goal.
4. Categories for Support.
 - a. Research (basic and applied)
Creative Scholarly Projects
Symposia and Conferences
Patent Development
 - b. Graduate Fellowships/Scholarships
Post-Doctoral Programs
New Directions in Education or Extension
 - c. Library
Facilities and Special Equipment
Buildings or Parts Thereof
 - d. Visiting Professorships

Summer Faculty Awards

5. Projects which accomplish the instructional, research and extension goals of the University. Projects considered must contribute to the broad educational purposes of Michigan State University for it is to this charitable end that the Foundation is committed.

THE OFFICE OF CONTRACT AND GRANT ADMINISTRATION

Formal agreements by funding organizations to support research and creative projects are normally made between the organization and the University rather than with individual faculty. Fiscal administration of gifts, grants and contracts is the responsibility of the Office of Contract and Grant Administration. Pre-proposals and draft proposals should be cleared with this office before contact is made with granting organizations to insure conformity with University policies on overhead, cost sharing and similar matters. When this office receives official notification of an award from a funding organization, an account can be established for initiating the project. The faculty project director is responsible for initiating the Gift and Grant form through which the financial support is formally accepted by the Board of Trustees.

REGULATORY GUIDELINES FOR RESEARCH

Protection of a research environment for free and unfettered pursuit of knowledge is an important University responsibility. Infringement on this freedom must be restricted to those factors which are clearly essential to the protection of individuals and the public at large.

There exist federal or state laws, regulations and guidelines in several areas which are designed for this purpose. In addition, the University community itself acts through its advisory committees and academic governance bodies to insure that individual research and scholarly projects incorporate appropriate safeguards.

RADIATION, BIOLOGICAL AND CHEMICAL HAZARDS

Research or instruction that require the use of radioactive isotopes or equipment that generates potentially harmful radiation above a particular level requires approval by the Radiation Safety Committee. Research or instruction that

involves the use of compounds which are carcinogenic, mutagenic or teratogenic, of biological organisms or of recombinant DNA require procedures that conform to safety guidelines for the students, staff and the public at large.

Regulatory agencies such as the U.S. Nuclear Regulatory Commission (NRC), the Department of Agriculture, Department of Health and Human Services and the National Science Foundation (NSF) require that investigators keep exposure to regulated materials as low as is reasonably achievable. A monitoring and educational program is conducted by the University on a continuing basis in order that investigators may utilize the materials that they require. Research programs at MSU are developing at a rapid rate and health and safety programs must keep pace.

The responsibility for the safety and well-being of all personnel in contact with university-related activities utilizing chemical, radiation or biological hazards lies with the faculty member or project director and the appropriate administrative officers. Policies, procedures, and guidelines are available from the Office of Radiation, Chemical, and Biological Safety.

The project director is responsible for:

1. Insuring that all personnel under his/her supervision have been instructed with regard to general safety requirements of laboratory or work area operation.
2. Being aware of the chemical and biological hazards inherent in a proposed activity. If these hazards are not covered by the general program of laboratory safety, the project director is responsible for instructing personnel in safe practices or in directing personnel to sources of information concerning safe practices.
3. Understanding the risks associated with the receipt and subsequent distribution of all hazardous chemical or biological agents. Project directors must be aware of the known dangers in working with a particular hazardous chemical or biological material and take the necessary protective and containment measures. Federal and state regulations control the use and shipping of certain chemicals, venomous animals, and infectious or genetically engineered microorganisms. The project director should be cognizant of and comply with these laws.
4. Informing all personnel under his/her supervision of those specific chemical or biological hazards which are peculiar to the specific research activities and is responsible for their special training in dealing with those hazards.
5. Obtaining (at least annually) a statement of informed consent from all individuals, both employees and

students, working directly under supervision of the project director in a university activity where potentially hazardous chemical or biological materials are utilized and are specific to the activities for which the project director is responsible. Each individual must be informed of the extent of known risk in utilizing hazardous substances.

6. Posting warnings and restricting entry to work areas that contain potentially hazardous chemicals or biological materials.

All individuals performing work with hazardous substances must accept a shared responsibility for operating in a safe manner once they have been informed about the extent of risk and safe procedures for their activities. Individuals undertaking an activity without direct supervision by a project director become responsible for performing those activities associated with hazardous substances safely. This applies to all students, staff and employees.

The faculty member or project director involved in use of recombinant DNA must abide by the National Institute of Health *Guidelines for Research Involving Recombinant DNA Molecules* (available from the Office of Radiation, Chemical and Biological Safety). Project directors are reminded that they must have their recombinant DNA project approved by the Biological Hazards Subcommittee and have a completed and signed memorandum of understanding agreement (MUA) before initiating the research.

Additionally, the project director has the primary responsibility for:

1. Supervising the safety performance of the staff to ensure that the required safety practices and techniques are employed.
2. Investigating and reporting in writing to the NIH Office of Recombinant DNA Activities and the institutional biohazards committee any serious or extended illness of a worker or any accident that results in:
 - a. Inoculation of recombinant DNA materials through cutaneous penetration
 - b. Ingestion of recombinant DNA materials
 - c. Probable inhalation of recombinant DNA materials following gross aerosolization
 - d. Any incident causing serious exposure to personnel or danger of environmental contamination
3. Investigating and reporting in writing to the NIH Office of Recombinant DNA Activities and the university biohazards committee any problems pertaining to

operation and implementation of biological and physical containment safety practices and procedures, or equipment or facility failure.

4. Correcting work errors and conditions that may result in the release of recombinant DNA materials.
5. Ensuring the integrity of the physical containment (e.g., biological safety cabinets) and the biological containment (e.g., genotypic and phenotypic characteristics, purity, etc.).

Additional information is contained in the *MSU Handbook for Research and Other Scholarly Projects* published by the Office of Research Development, telephone 355-2186.

Faculty members engaged in research and teaching which involve radiation, chemical and biological hazards are assisted by the University Office of Radiation, Chemical and Biological Safety. Full-time professional staff and facilities are available to conduct required federal and state tests, dispose of hazardous wastes and train persons in safety measures. The office is aided by faculty committees from the affected disciplines.

PROTECTION OF HUMAN SUBJECTS

Research or instruction that involves the use of human subjects must conform to guidelines which insure protection of the individuals participating in the research.

The proposed use of human subjects or human materials in biomedical and behavioral research poses specific problems for the subjects, the investigator, and the University. Federal, state and University guidelines governing such activities have been developed; procedures and safeguards are designed to protect the rights and welfare of human research subjects.

At Michigan State University, the University Committee on Research Involving Human Subjects (UCRIHS) is responsible for reviewing all biomedical and behavioral research involving the proposed use of human subjects or materials. Prescribed by the National Research Act of 1974 (Public Law 93-348) and endorsed by the Academic Council, this Committee must review and approve all appropriate activities proposing the use of human subjects before such projects can be initiated.

It is not necessary to secure the approval of this Committee prior to submitting proposals for external support, but it is the research investigator's responsibility to obtain appropriate approval for the use of human subjects prior to initiating any project, whether it is supported from external funding sources, internal funds, or not funded at all. For funded projects, account numbers cannot be assigned until UCRIHS approval has been

obtained.

Investigators are reminded that the Department of Health and Human Services requires that they receive notification of approval for the use of human subjects from the University's Institutional Review Board within 60 days after the University submission of a proposal or that proposal will be removed from further consideration.

The UCRIHS is chaired by the Assistant Vice President for Research. Additional information is found in the *MSU Handbook for Research and Other Scholarly Projects* published by the Office of Research Development, telephone 355-2186.

USE OF ANIMALS IN RESEARCH

Research and instruction in which experimental animals are used is subject to state and federal guidelines. University policy specifies that all animals under university care will be treated humanely and that the university will comply with federal and state regulations regarding animal care. Responsibility for assuring compliance with state and federal regulations has been delegated to the Vice President for Research and Graduate Studies, who is advised by the All-University Committee on Animal Facilities and Care and who administers the Laboratory Animal Care Service.

Project directors planning to use animals must submit a Supplementary Information Sheet regarding plans for laboratory animal facilities, care, anesthesia, etc. This sheet should accompany the proposal through the transmittal process. The Office of Research Development will forward the Supplementary Information Sheet to the chairperson of the All-University Committee on Animal Facilities and Care (AUC) at the same time the proposal is forwarded to the funding agency. Proposals not accompanied by a Supplementary Information Sheet will be forwarded to the funding agency, but will be considered incomplete and pending review by the All-University Committee. An agency approved grant cannot be assigned an account number until approval by the Committee has been obtained.

If the planned facilities or care seem questionable, the AUC will review the plans with the investigator. If, after reviewing the plans with the investigator, the AUC feels that the facilities are not adequate, or that the plans do not provide for adequate animal care as prescribed in the state and federal legislation, the AUC may recommend that the proposed research would not meet minimum standards of animal care. Project directors are reminded that proposals must have University approval before grants can be accepted by the Board of Trustees.

General principles that apply to the care and usage of all animals at MSU are set forth in the *MSU Handbook for Research and other Scholarly Projects*, published by the Office of Research Development, telephone 355-2186. A *Handbook for Animal Care*, outlining university, state, and federal regulations regarding animal care, is available through the Laboratory Animal Care Office (LACS), telephone 353-5064.

PATENTS

This policy was approved by the Board of Trustees on November 15, 1930 and revised on June 7, 1985.

Federal regulations require that discoveries coming from federally assisted research must be reported promptly and appropriate patents must be applied for by the University. In addition, the State of Michigan and the University acknowledge the obligation to protect intellectual property emerging from research funded from whatever sources by prompt filing of appropriate patent applications. Faculty, staff and students are reminded that the University's patent policy reads as follows:

Except as otherwise provided by Board-approved policies or legal instruments, any discovery or invention which results from research carried on by, or under the direction of, any employee of the University and having the cost thereof paid from University funds or from funds under the control of, or administered by the University, or which comes as a direct result of the employee's duties with the University, or which has been developed in whole or in part by the utilization of the University resources or facilities, shall belong to the University and shall be used and controlled in such a manner as to produce the greatest benefit to the University and the public.

For purposes of this policy, the term "employee" shall include all faculty, staff and students (including postdoctoral appointees, graduate and undergraduate students) engaged in research conducted under the conditions defined above.

Patenting and licensing expenses for each patent will be recovered from its royalty earnings and distributions will be made from the net royalties remaining.

Net royalties from licensed inventions will be distributed according to the following schedule:

| Net Royalty Income on a Parti- cular Patent | Inventor(s) | Academic Units | University |
|---|-------------|-------------------|------------|
| First \$1,000 | 100% | 0 | 0 |
| Next \$100,000 | 33 1/3% | 33 1/3% | 33 1/3% |
| Next \$400,000 | 30% | 30% | 40% |
| Next \$500,000 | 20% | 20% | 60% |
| All Additional Net Royalties over \$1,001,000 | 15% | 15% | 70% |

The administration of Michigan State University patent matters, including technological know-how that may be licensable but may not be patentable, shall be the responsibility of the President. Patent matters include such activities as accounts, records and negotiations. Particular patents or items of technological know-how may be transferred to the Michigan State University Foundation for administration.

The President has delegated this authority to the Vice President for Research and Graduate Studies.

TEXTBOOK PUBLICATION

A faculty/academic staff member producing a textbook or other teaching material prepared and designed primarily for the use of and compulsory purchase by the students of Michigan State University must submit the manuscript to the Michigan State University Press, which was established for the purpose of publishing such material. Material prepared by a faculty/academic staff member without the use of University resources and not prepared for the purpose stated above may be submitted to the MSU Press or to a commercial publisher at the author's discretion.

DEVELOPMENT OF INSTRUCTIONAL MATERIALS

The following policy was approved by the Board of Trustees on November 16, 1973 and was revised on July 28, 1983.

Faculty and University Rights in University-Sponsored Instructional Materials

Introduction

To encourage faculty to utilize the most modern teaching methods and techniques, many universities support the development of educational materials. Michigan State University encourages creativity and increased productivity among faculty through the use of sophisticated communication techniques. Several agencies support and assist faculty in the development and improvement of instructional materials: The MSU Development Fund; Instructional Media Center, Radio Broadcasting and Instructional and Public Television. The University recognizes the significant merit of improved instructional materials as developed by the faculty and is mindful of the increased effectiveness, extension of resources and productivity they afford. Such contributions are significant when such matters as faculty salary, rank, and load are considered.

There are several urgent reasons why the University must place increasing emphasis on assistance to faculty for the development of instructional materials. The application of new technology to instruction often requires expensive and complex equipment that could not be operated economically, or owned by individual faculty members, or by regular departments on campus. The development and production of certain instructional materials require special equipment and skills. Because the body of data about the learning process, teaching models, and educational design is growing very rapidly, it is difficult for faculty to remain abreast of such developments.

Therefore, many faculty seek the assistance of University consulting specialists and other types of support. Consequently, instructional materials frequently reflect a joint creative effort involving one or more faculty members as well as other individuals and units on campus.

University participation in the development of educational materials seeks to improve the quality and versatility of instructional practice. But such participation also raises problems concerning the ownership and use of materials. University-wide policies are needed to govern the ownership, University use, external use and rights to income of University-sponsored materials.

The following statement clarifies and protects the rights of individual faculty members and the University. This statement defines: the types of educational materials which should be designated as "University-sponsored", established procedures for formulating and administering policy concerning these

materials; and University-wide policy governing their ownership and use and the rights to income produced.

This statement however, does not affect the traditional University policy that faculty members have personal ownership of books, tests, syllabi, and workbooks not commissioned by the University and the preparation of which were not supported or assisted in any material way by any University unit. Any materials such as paintings, journal articles, research studies, music, sculpture, etc., supported by all-University research grants or other University programs and agencies, but which are not primarily instructional materials for classroom use, are not considered under the terms of this policy as University-sponsored educational materials.

This policy does not apply to University faculty, administrative, clerical, and/or technical personnel specifically hired to support instructional development activities of the regular teaching faculty. When a faculty member who has been hired to help the teaching faculty improve instruction creates instructional materials for use in his/her own course or courses with University support, however, this policy shall apply.

Section I

Coverage of Statement of Policy

This statement of policy shall govern the ownership and use of University-sponsored educational materials, as defined in Section II. This statement of policy shall also cover audio and video broadcasts and tapes produced by University broadcast services and used for regular University instruction.

Section II

Definition of University-Sponsored Educational Materials

1. Educational materials are University sponsored:
 - a. If the faculty member has employed in his/her developmental work, and without charge to him/her, the equipment, materials, and staff services of any of the various units of Michigan State University which assist in the development of research or instructional materials; or
 - b. If the faculty member has received support in the form of money, released time, or other resources from a department, a college, or any unit of the University; or

- c. If the faculty member has been commissioned by the University, or one of its colleges, schools, departments, or units to develop the materials and, in their production, has used some part of the time for which he/she received compensation from University support budgets, grants, contract budgets administered by the University, or budgets based on special legislative appropriations.
2. Educational materials to which this policy is applicable include, but are not limited to:
 - a. Video or audio recordings.
 - b. Motion pictures.
 - c. Slides, transparencies, charts, and other graphic materials, photographic or similar visual materials, film strips.
 - d. Combinations of the above and other types of materials; e.g., multi-media and other instructional packages.
 - e. Programmed instructional materials.
 - f. Study guides, texts, syllabi, workbooks, bibliographies, and tests.
 - g. Live video and audio transmissions.
 - h. Computer programs.
 - i. Three-dimensional materials and exhibits.
 3. Any person who has a question as to whether particular educational materials he/she is preparing, or planning to prepare, will be considered University-sponsored, shall initiate inquiry as to their status. He/she should prepare a report on the relevant facts and forward it to the appropriate department chairperson, or director, and dean. The department chairperson, or director, and dean should submit their written recommendations on the case to the Office of the Provost. The Office of the Provost will consult with the Office of the Vice President for Research and Graduate Studies, who shall determine the question subject to review by the provost and the president.

Section III

Ownership and Copyright

The legal title to all University-sponsored educational materials as defined in Section II shall be held by Michigan State University with the following exception. Materials produced under grants from the federal government or other agencies shall be subject to conditions of the contract or grant with respect to ownership, distribution and use, and other residual rights.

The University may, at its discretion, assign, transfer, lease, or sell all or part of its legal rights in educational materials. Where feasible, formal statutory copyright shall be obtained for such educational materials in the name of the University.

Section IV

Internal University Use

All use of University-sponsored materials by any unit of the University for education or instruction shall be subject to the following conditions:

1. Use internal to the University requires approval of the department or college primarily responsible for the materials. Such approval is normally implicit when the sponsoring unit agrees to storage and distribution by the University and in the procedures by which the sponsoring department and college schedules its courses and assigns instructional duties.
2. As long as the faculty member involved in the production of University-sponsored materials remains a member of the staff of the University, his/her approval shall be required for use of the materials internal to the University and his/her contribution should be explicitly recognized and noted by the user.
3. In the event a faculty member leaves the University or after his/her death, the University retains the right to make internal use of University-sponsored educational materials.

Section V

External Use

Use external to the University, or all uses other than by a

unit of the University for instruction or education; for example, use by educational institutions other than the University, by government and other nonprofit institutions, and use resulting from lease or other contractual arrangements for commercial distribution of the materials shall be subject to the following condition:

1. Licensing or sale of University-sponsored educational materials for external use shall be preceded by a written agreement between the University and faculty member.

Section VI

Revision

Revision of University-sponsored materials which does not require substantial University resources may be made at any time by the faculty member involved. Such revision may not be made in any case without the consent of the individual(s) primarily responsible for the original creation of those materials.

Requests to revise University-sponsored materials in cases which require substantial University resources may be initiated by the University or by the faculty member directly concerned.* During the first three years after production, mutual agreement of both parties (the University and the faculty member) is required for revision. After three years' use (or two years of non-use), materials which have not been revised shall be reviewed by the faculty member and the University unit or units most directly involved in their production and either the faculty member or the University may require their withdrawal, or in the case of television, the erasure of tapes. This paragraph does not apply to motion pictures.

*The term University is used here to mean: (a) the instructional unit employing the faculty member and/or earning the student credit hours for offering the course; (b) the University unit primarily responsible for the production and distribution of the course, specifically in the case of television the Instructional and Public Television Service, or in film production the Instructional Media Center, and/or (c) the Office of the Provost.

Section VII

Payments to Faculty Member for Production and Use

1. With the exception specified below, the University shall not make any payment to the University-employed faculty member involved in the production of University-sponsored educational materials for their production or internal use other than the compensation which the faculty member regularly receives from the University.
 - a. Exceptions on payment for internal use of materials:
 - i. If materials prepared for use in another unit of the University are used for extension instruction with the advice and assistance of the faculty member, the Extension Division, in accordance with its existing policies, may make additional payment to the faculty member for such advice and assistance.
 - ii. A faculty member not on assignment with the University, e.g., summer session, or on leave, may be compensated for use of televised materials in which the faculty member personally and prominently appears. Compensation should be mutually agreed upon in advance by the faculty member and the department(s) involved, based upon (1) the amount of continuing responsibility of the faculty member for monitoring, revision of lessons, or supervision of the work of the course; (2) whether the course is completely or partially recorded; and (3) the extent to which the participating faculty member's time and creative efforts have been previously compensated. As a guideline, the faculty member may be compensated on the basis of load credit or salary equal to 1% of the annual salary for each six (6) class hours developed. Such payment or credit should be limited to a period of two years.
2. Licensing or sale of University-sponsored research and educational materials for use external to the University shall be accomplished by a written agreement between the University and the faculty member(s). If the University markets the materials, any net income (after cost of production, sales, advertising, distribution and any unrecovered overhead cost, but not to include the costs of

original development unless so stipulated in the contract or grant) shall be distributed so that the faculty member receives the first \$1,000, 50% of the next \$20,000, 30% of the next \$50,000, and 25% of all additional income. The University shall retain the remainder to encourage further research and educational development.

All University funds resulting from the sale of sponsored instructional materials shall be used to encourage further educational and instructional development. If the University licenses an external agency to reproduce and sell instructional materials, the total royalties shall be negotiated among the faculty member, the University, and the external agency, and the net income (royalties) shall be divided between the faculty member and the University in accordance with the procedure described above.

Section VIII

Transfer of Rights to Faculty Member

If the teaching unit employing the materials discontinues regular use of the University-sponsored instructional materials in their existing form for more than two years, such units shall relinquish all rights to these materials. In such cases, the rights shall be transferred to the faculty member if he/she so desires, and the faculty member shall be required to pay all costs associated with the transfer including expenses associated with copying, mailing and handling, duplication and copyright transfer, but not to include original costs of production.

Section IX

Protection and Liability

1. Protection

- a. The Office of the Provost shall investigate allegations of unauthorized use or copyright infringement of University-sponsored educational materials and shall recommend appropriate action. If such action is started by the University, acting alone or in concert with the faculty member, all costs of such action (including attorney's fees) shall be borne by the University. All proceeds in excess of such costs shall be shared equally by the University and the faculty member.
- b. If the University decides not to act, the faculty

member may initiate action, and the University shall assign to him/her such rights as are necessary for him/her to pursue redress. Costs of such action (including attorney's fees) shall be borne by the faculty member who shall have the right to all proceeds resulting from the action.

2. Liability

- a. The faculty member(s) responsible for the creation of University-sponsored educational materials shall obtain, from individuals prominently appearing in or giving support to the materials, appropriate written releases, giving all necessary rights to the University. These releases shall be kept by the unit producing the material until such time as the material is withdrawn from circulation.
- b. Before any external use is made of University-sponsored educational materials, the faculty member shall certify in writing to the provost that the materials do not infringe on any existing copyright or other legal rights and shall be liable to the University for judgements resulting from such infringements
- c. In the event others allege violations of personal property rights by the University, or by the faculty member of University-sponsored instructional materials, the University shall assume responsibility for the defense of any action.

Section X

Implementation

1. This policy shall take effect upon approval by the Board of Trustees and shall be administered by the Office of the Provost.

VII. FACULTY/ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS

OVERVIEW

This section presents a broad overview of the various benefit and retirement programs available to faculty/academic staff and their dependents. Each benefit is described briefly on the following pages. The payment of benefits is conditioned upon eligibility requirements and, in some cases, a written application to participate in the plan is required.

AUTOMATIC BENEFITS

Participation in the following benefits (when eligible) is automatic and no enrollment applications are necessary.

1. Dental (full-time only)
2. Expanded Life (full-time and part-time)
3. Long-Term Disability (full-time only)
4. Social Security (full-time and part-time)
5. Travel Accident (full-time and part-time)
6. Unemployment Compensation (full-time and part-time)
7. Workers' Compensation (full-time and part-time)

OPTIONAL BENEFITS

Participation in the following benefits is optional and faculty/academic staff are covered if written application for benefits takes place within 60 days of initial appointment to an eligible status, during an Open Enrollment, or, in some cases, by furnishing evidence of insurability:

1. Accidental Death & Dismemberment (full-time only)
2. Dental (part-time only)
3. Employee-Paid Life (full-time and part-time)
4. Health Care Coverage (full-time and part-time)

RETIREMENT PROGRAMS

Participation in the base retirement plan is initially optional

with enrollment mandatory at age 35 and 24 full-time equivalent (FTE) service months. Participation in the supplemental retirement plan is optional at any time.

The following pages summarize the ways in which these benefit plans can help faculty/academic staff in time of need. Careful reading of this information will assist in understanding the protections that are available. Individual brochures/certificates are issued at the time of enrollment in the programs and updated as necessary.

NOTE: All benefits are shown in abbreviated form. Specific Master Contracts between MSU and the various carriers/vendors are available for inspection in the Staff Benefits Office. The information contained in this Faculty/Academic Staff Benefit and Retirement Programs section does not modify or change any of the provisions in these contracts. Although MSU expects to continue the benefit programs indefinitely, it reserves the right to modify, suspend, or terminate such coverages in whole or in part at any time, except as limited by the terms and conditions of Master Contracts. Complete information and descriptive details on all benefits may be obtained from the Staff Benefits Office, telephone 353-4434.

FULL-TIME EQUIVALENT (FTE) SERVICE MONTHS

This concept is defined as the cumulative full-time equivalent (FTE) months of service for University employment of 50% or greater. FTE service months are used in determining eligibility for University benefits which require a service waiting period.

AUTOMATIC BENEFITS*

Dental Plan (full-time only)

Eligibility

All faculty/academic staff appointed 90 percent time or more for nine months or more and their eligible dependents are covered by a dental plan. This coverage is also provided to retirees and their eligible dependents or survivors.

Coverage

The plan covers fifty percent of the usual, customary, and reasonable cost of preventative, diagnostic, restorative, prosthodontic, and orthodontic services. The plan provides an individual maximum of \$600 per calendar year for covered charges and includes limitations regarding the number of services payable per year (i.e., routine exams). Orthodontic coverage is limited to those under 19 years of age and is subject to an individual lifetime maximum of \$600.

Cost

The plan is an automatic benefit fully paid by the University for full-time faculty/academic staff.

*For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three-quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100.0 percent time.

Expanded Life (Death Benefit)

Eligibility

The University provides a life benefit payable to beneficiaries of faculty/ academic staff appointed 50 percent time or more for nine months or more after 24 Full-Time Equivalent (FTE) Service Months. Faculty appointed with tenure (or on the effective date of the award of tenure) or with NSCL continuing appointment status are immediately covered under this plan.

Coverage

Eligible faculty/academic staff members are provided coverage equal to one year's base salary up to a maximum of \$50,000. Beneficiaries are those designated by the faculty/academic staff member or the same as designated in the Employee-Paid Life program. If no beneficiary has been designated, payment will be made to the estate in accordance with the sequence of beneficiaries clause in the master contract.

Cost

The entire cost of this benefit is paid by the University.

Long-Term Disability

Eligibility

Coverage under the Long-Term Disability Plan is available for faculty/academic staff appointed full-time for nine months or more who have been employed for 12 FTE service months. Eligible faculty/academic staff may receive benefits provided by the Long-Term Disability Plan after six months of continuous disability. Faculty appointed with tenure (or on the effective date of the award of tenure) or with NSCL continuing appointment status are immediately covered under this plan.

Coverage

The benefits provide a disabled faculty/academic staff member with a monthly income, including Social Security or Workers' Compensation payments, equal to 60% of the basic monthly salary to a maximum payment of \$3,000 per month. In addition, the program assumes both the faculty/academic staff member's contribution and the University's contribution to the base retirement program for as long as the individual remains entitled to Long-Term Disability benefits. The plan provides an annual cost-of-living increment of 3%. The cost of this benefit is totally paid by the University.

Other Benefit Information

If the faculty/academic staff member is unable to work due to total disability and is eligible for benefits under the Long-Term Disability Plan, participation will be continued in the health, dental and employee-paid life programs at no cost to the faculty/academic staff member during the period of disability benefit payments.

Social Security

Most faculty/academic staff members who perform services for Michigan State University are covered by Social Security (FICA). Social Security provides retirement benefits at age 65 and on a reduced basis at age 62; a lifetime income in the event of total permanent disability for the faculty/academic staff member, and benefits for dependents subject to certain age rules, and a lump sum payment at death and monthly income for qualified survivors. (Foreign Nationals presenting F or J visas may be exempt from provisions of the Social Security Act - See Payroll Procedures.) Full information is available from the local Social Security Office.

Travel Accident

The University provides immediate Travel Accident coverage while traveling on approved University business or activity. This coverage provides accidental death and dismemberment insurance in the principal amount of \$50,000. Coverage is automatic for all faculty/academic staff, no enrollment is necessary and the cost is paid by the University.

Workers' Compensation

The University, in accordance with Michigan law, provides "Workers' Compensation" if a faculty/academic staff member is injured in the course of employment by providing for continuation of a portion of the faculty/academic staff member's salary.

Any injury arising out of and in the course of employment must be reported to the administrative head and the Workers' Compensation Division. All necessary medical services for a compensable injury will be provided by a physician designated by the University. Full information is available from the Workers' Compensation Division, Office of Personnel and Employee Relations.

Unemployment Compensation

Most faculty/academic staff members of Michigan State University will be in covered employment and therefore subject to the provisions of the Unemployment Compensation Act. Full information is available from the Unemployment Compensation Division, Office of Personnel and Employee Relations.

OPTIONAL BENEFITS*

Accidental Death & Dismemberment (AD&D)

Eligibility

Insurance may be selected under the AD&D Program within 60 days of initial appointment to an eligible status. Coverage is provided if death or dismemberment results from accidental cause. All faculty/academic staff appointed full-time for nine months or more are eligible to participate.

Coverage

Coverage may be selected for the faculty/academic staff member and the family, if desired, in one of the varying amounts as shown in the certificate. Beneficiaries are designated by the individual and may be changed at any time.

Cost

Cost of the various coverages offered is described in a separate brochure available in the Staff Benefits Office.

Employee-Paid Life

A faculty/academic staff member may select employee-paid life within 60 days of initial appointment to an eligible status or by furnishing evidence of insurability.

Eligibility

Faculty/academic staff appointed 50 percent time or more for nine months or more are eligible to enroll for life coverage.

*For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100 percent time.

Coverage

The coverage is decreasing term insurance with no cash or loan value and coverage may be selected in varying amounts depending on age and plan selected, as shown in the certificate.

Optional dependent coverage (for spouse and children, if any) may also be selected.

Benefits are payable to the designated beneficiary in the event of death from any cause while the plan is in force. Beneficiaries are designated by the faculty/academic staff member and may be changed at any time.

Cost

Costs vary according to the plan selected; rates are subject to future group experience.

Health Care Coverage

If faculty/academic staff members enroll in health care coverage within 60 days of initial appointment to an eligible status, during an Open Enrollment, or, in some cases, by furnishing evidence of insurability, faculty/academic staff members and their eligible dependents are covered for health care services. Coverage is currently provided by the American Plan/TIAA Major Medical Programs; Health Central, or Physicians Health Plan (PHP), local health maintenance organizations (HMO). Specific coverage details under these plans differ. In general, the following apply:

Eligibility

Faculty/academic staff appointed 50% time or more for nine months or more are entitled to enroll themselves and their eligible dependents. Failure to enroll during the initial 60-day eligibility period will result in the faculty/academic staff member having to wait until an Open Enrollment or, in some cases, coverage may be applied for by furnishing Statements of Insurability.

Coverage

The health care plans offered through the University provide coverage for semi-private hospital room charges up to 365 days. Additional hospital expenses, including intensive care,

recovery room, anesthetics, etc., are covered on a reasonable and customary basis. In addition, surgical benefits, diagnostic X-ray and lab tests are provided whether performed in or out of the hospital. The plan also provides coverage for prescription drugs and office calls subject to either a co-payment and/or satisfaction of an annual deductible amount. Most other medically necessary out-of-pocket expenses are also covered subject to a deductible and co-payment. The Health Maintenance Organizations (HMO), Health Central and PHP, are primarily available to employees who live in the service area. The HMOs have no deductibles or claim forms; however, a co-payment is required for some services.

Cost

The University provides a monthly contribution toward health care coverage for eligible faculty/academic staff. If an additional premium is required, it will be deducted from the faculty/academic staff member's paycheck. The University does not make a contribution during periods when a faculty/academic staff member does not receive a check.

Benefits for Postdoctoral Fellows

This policy was issued by the Office of the Provost and the Office of the Vice President for Research and Graduate Studies with an effective date of September 1, 1983.

Upon official appointment, postdoctoral fellows will be issued an appropriate identification card that will qualify them for such benefits as library privileges, staff parking, and staff rates at University cultural and athletic events.

Postdoctoral fellows who are not otherwise covered on another policy (e.g., as a spouse or a dependent) are required to have individual health care coverage. Postdoctoral fellows are not eligible for University contribution toward staff fringe benefits but will, if appointed for at least nine months, qualify for one of the University's health care benefit programs under the provisions stipulated below.

The following health care programs are available to postdoctoral fellows: American Community, Blue Cross/Blue Shield, Health Central,* or Physicians Health Plan.* Information

*Health Maintenance Organizations (HMO)

about these program options can be obtained from the Office of Staff Benefits. Funds for a postdoctoral fellow's individual health care premiums can be provided as follows:

Institutional Grants: Health care coverage contributions are to come from the grant budget, normally an allowance, for grants provided by Michigan State University as well as by external agencies. The department should request funds from the external granting agency for this purpose. If using funds for health care coverage is contrary to the granting agency's policy, then contributions for such coverage will come from the department or from funds that may be made available in the Office of the Vice President for Research and Graduate Studies. In the latter case, approval must be obtained from that office prior to accepting the individual for postdoctoral study.

Individual Grants: If a cost-of-education allowance to the University accompanies the grant, the contributions will come from the portion of that allowance allocated to the department or college. That allocation will be increased, if necessary, to cover such contributions. If a cost-of-education allowance is not provided from the granting agency, contributions will come from the department or from funds that may be made available in the Office of the Vice President for Research and Graduate Studies. In the latter case, approval must be obtained from that office prior to accepting the individual for postdoctoral study.

Family health care coverage is not an appropriate charge on postdoctoral grants; however, a postdoctoral fellow may elect personally to pay the differential between individual and family options.

Arrangements should be made with the Staff Benefits Office for payment of health care premiums either by individual payment or by arrangements to charge these costs to an appropriate account.

Health Care Benefits for Visiting Faculty/Scholars

The following statement was issued by the Office of the Provost on January 7, 1982.

Visiting faculty/scholars are eligible for special medical benefit coverage with Health Central (Plan 7). These benefits are provided in recognition of the fact that many visiting faculty/scholars are enrolled in national or other private institutional health programs in the U.S.A. or abroad, which do not provide them coverage when appointed at MSU. Individuals eligible for this program are visiting faculty/scholars: 1) who are appointed without pay or with pay on appointments of less than 50% time and/or for less than nine months, who will return to

their home university, agency, firm or other institution after a limited appointment period at Michigan State University; and 2) who are currently enrolled in a medical benefit program which is not available to them while appointed at Michigan State University.

Information relating to the Health Central benefit plan which is available to eligible visiting faculty and/or scholars is indicated below:

1. Such individuals are eligible for Health Central "Plan 7." Please note that Plan 7 has a six-month exclusion for pre-existing conditions (including pregnancy).
2. Eligible faculty/scholars must enroll for the Health Central coverage during the first sixty days following their initial appointment date. Otherwise, they will not be eligible to participate in this program. Coverage is effective the first day of the month following application.
3. Individuals participating in this program must pay the premiums. Health Central will bill eligible faculty/scholars directly for the costs of participation. Upon enrollment, eligible individuals must pay the first three months' premium and complete the necessary paper work required by Health Central.
4. To provide eligibility under this program, unit administrators should contact the Office of the Assistant Provost for Academic Personnel Administration. Further, individuals should be appointed with a "Visiting" prefix before the title and, in the "comments" section of the applicable appointment form, the following should be indicated: "Visiting Faculty/Scholar eligible to participate in special medical benefits plan with Health Central." After eligibility is confirmed, the visiting faculty/scholar should contact the enrollment representative at Health Central (374-3876) to complete application materials.

Dental Plan (part-time only)

Eligibility

All part-time faculty/academic staff appointed 50.0-89.9 percent time for nine months or more are eligible to enroll in the dental plan during an initial sixty (60) day eligibility period beginning with the date of appointment or during the annual dental open enrollment.

Coverage

The plan covers fifty percent of the usual, customary, and reasonable cost of preventative, diagnostic, restorative, prosthodontic, and orthodontic services. The plan provides an individual maximum of \$600 per calendar year for covered charges and includes limitations regarding the number of services payable per year (i.e., routine exams). Orthodontic coverage is limited to those under 19 years of age and is subject to an individual lifetime maximum of \$600.

Cost

An optional benefit, part-time faculty/academic staff receive a one-half or three-quarter contribution based on their percent of employment and must enroll if dental coverage is desired.

RETIREMENT PLANS*

All faculty/academic staff members appointed at 50 percent time or more for a period of 9 months or more are eligible to make contributions to a base retirement plan as well as a supplemental retirement plan.

Base Retirement Plan

Eligibility

Participation in the base retirement plan, with the University contribution, is initially optional and required for full-time faculty/academic staff when certain service and/or age requirements are met. The general rules follow:

1. Faculty appointed 50 percent time or more for nine months or more with the rank of assistant professor, associate professor, or professor may elect immediate participation, with University contribution, or may defer participation for 24 FTE service months or until attaining age 35, whichever is later, at which time participation is required for full-time faculty.
2. Faculty/academic staff appointed 50 percent time or more for nine months or more as instructors, specialists, research associates, lecturers, or assistant instructors become eligible for the University contribution 24 FTE service months from the date of initial appointment to an eligible status. Participation is required at that time for full-time faculty/academic staff or upon attainment of age 35, whichever is later. Research associates, instructor/residents, instructor/interns, lecturers, and assistant instructors are never required to participate.
3. Part-time faculty/academic staff are never required to participate.

*For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three-quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100.0 percent time.

4. Once required participation commences for faculty/academic staff appointed full-time for nine months or more, it is not possible to withdraw from the base retirement plan while employed at the University.
5. Faculty/academic staff members appointed 50 percent time or more previously enrolled in a 403(b) or 403(b)(7) contributory retirement program before appointment at MSU may elect immediate participation regardless of rank.
6. Participation in the base retirement plan is possible at any time without University contribution.
7. Faculty/academic staff must enroll in the base retirement plan by submitting a signed application to the Staff Benefits Office prior to the first of the month the application is to be effective. Failure to apply prior to the first of the month in which faculty/academic staff are eligible for the University contribution will result in lost contribution without retroactive recovery.

Coverage

The base retirement plan provides a retirement income based upon the total amount accumulated from the employee's contribution, the University's contribution, and the earnings on those amounts over the period of the working years.

A faculty/academic staff member may commence to draw his/her accumulation under a variety of payment options after leaving the University; however, to be considered a retiree from the University, faculty/academic staff must meet the minimum University retirement requirements (see Other Retirement Information). The earlier retirement income begins, the smaller the payment.

The base retirement plan is fully vested indicating that both the faculty/academic staff member's and the University's contributions are placed directly in the faculty/academic staff member's account each month. In the event the faculty/academic staff member leaves the University, ownership of the total accumulation is retained by the faculty/academic staff member. The faculty/academic staff member may elect to receive an immediate retirement income or may defer the receipt of his/her retirement income until a later date.

Cost

The base retirement plan is financed by a deduction or reduction of 5% from the faculty/academic staff member's base salary and a matching University contribution of 10%.

Supplemental Retirement Plan

Faculty/academic staff members appointed at 50% time or more for a period of at least nine (9) months may make additional tax-deferred contributions to the supplemental retirement plan subject to IRS limitations. Participation in the supplemental retirement plan is never required, and no matching contribution is made by MSU.

Other Retirement Information

1. To be considered a retiree from Michigan State University, a faculty/academic staff member must meet one of the following minimum University retirement requirements:
 - a. Be 62 years of age and have completed 15 years of service, or
 - b. Have completed 25 years of service at any age.
2. Faculty/academic staff meeting the minimum University retirement requirements will remain eligible to maintain health and dental coverage and receive a full or partial University contribution.
3. Faculty/academic staff meeting the minimum University retirement requirements may continue participation in the employee-paid life program after retirement until age 70.
4. Faculty/academic staff members participating in employee-paid life at the time of retirement and who were enrolled prior to July 1, 1976 will receive a \$2,000 life benefit fully paid by the University.
5. Faculty/academic staff employed prior to July 1, 1958, who meet the minimum University retirement requirements as defined above, may have 'frozen benefits' from the University Non-Contributory Retirement Plan in addition to their base retirement plan. Full information is available from Staff Benefits.

6. Retirement survivor options which protect the spouse, if any, are available and may be selected immediately prior to retirement. In the event a survivor option is selected, the spouse is guaranteed payments for life. Spouses of retired faculty/academic staff members are guaranteed lifetime participation in the health and dental plans.

FACULTY/ACADEMIC STAFF BENEFITS IN THE EVENT OF A LEAVE OF ABSENCE, TERMINATION OR DEATH

Leave of Absence

With pay

If the faculty/academic staff member's pay is being continued (i.e., if the leave is a medical leave), the normal premiums will continue to be deducted and the University will make its normal contribution toward the cost of the health, dental, and retirement programs. Benefits are continued in full for faculty members on sabbatical leave.

Without pay

Faculty/academic staff granted an approved leave of absence without pay may continue in force all of the optional benefit programs by paying the full cost of all premiums. Coverage may be continued by making cash payments for as long as the approved leave continues. Payments for benefits to be kept in force should be made directly to Michigan State University and sent to the Staff Benefits Office no later than the first day of the month for which the payment is due. If benefits are not maintained, it will be necessary to re-enroll within 30 days of returning to active employment or prove insurability or wait for an Open Enrollment period.

Faculty/academic staff member contributions for the base retirement plan may be made on a direct basis or may be suspended during the period of the leave.

Provisions are available to faculty/academic staff members on leave due to acceptance of prestigious awards or fellowships for the continuation of applicable University fringe benefits. Additional information should be requested from the Staff Benefits Office. (See Continuation of Fringe Benefits for Faculty on Leave of Absence No Pay Status to Receive Prestigious Awards, Fellowships and/or Special Assignment Opportunities.)

TERMINATION

In case of termination, benefits will be affected as follows:

1. All health, employee-paid life, and accidental death and dismemberment coverages will continue in force until the end of the month following the last deduction and/or contribution made.
2. Long-term disability, expanded life, and travel accident coverages cease on the last day of active employment.
3. Coverage under the Dental Plan, American Plan, Health Central, or Physicians Health Plan may be continued for a limited period of time by contacting the Staff Benefits Office.
4. Employee-paid and expanded life coverages may be converted by contacting the company directly.

DEATH

In addition to life benefit payments to beneficiaries, it is possible for the surviving spouse and their eligible dependents to continue health and dental coverages by contacting the Staff Benefits Office. The University will contribute toward the health and dental premiums for the surviving spouse if the faculty/academic staff member was eligible for retirement.

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