

SELECTED PROCEDURES AGREEMENT JULY 1, 2003 TO JUNE 30, 2007

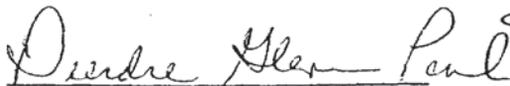
Articles XXXI and XXXIII of the contract between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO provide for local resolution of issues. This document serves as the agreement between Montclair State University Administration and the Montclair State University Federation of Teachers, Local 1904, AFT, AFL-CIO

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

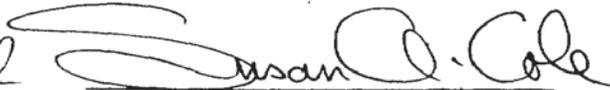
Suspense dates for these procedures have not been included in the text, but will be provided in the agreed administrative calendar.

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

AUTHORIZATION BY:



Dierdre Glenn Paul
President
Local 1904, AFT, AFL-CIO



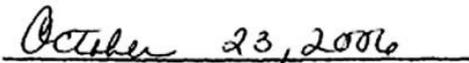
Susan A. Cole
President
Montclair State University



Ken Brook
Negotiations Coordinator
Local 1904, AFT, AFL-CIO



Judith Hain
Chief Negotiator and
Vice President for Human Resources
Montclair State University



Date

CONTENTS

1.	COMMITTEES REQUIRED TO IMPLEMENT UNIVERSITY PERSONNEL PROCEDURES	1
1.1	Department Level	1
	Department Personnel Advisory Committee (DPAC)	1
	Student Input Committees (SIC)	2
1.2	College/School Level	2
	College/School Research Committees	2
1.3	University-Wide Committees	2
	Election Procedures for University-Wide Faculty Committees	2
	University Professional Staff Review Board (UPSRB)	3
	Sabbatical Review Committee	5
	Joint Interpretation of the LSPA	6
	Career Development Committee	7
	Professional Staff Professional Development Peer Review Committee	7
	Meet and Confer Committee	8
	University Distinguished Scholar Committee	9
	University Research Committee	10
	University Distinguished Teacher Program	10
	University Distinguished Teacher Committee	11
	College/School Distinguished Teacher Committee	11
1.4	Faculty Scholarship Program (FSP)	12
1.5	New Faculty Mentor Program	15
2.	GENERAL GUIDELINES FOR PERSONNEL ACTIONS	17
2.1	Fulfillment of Objectives	17
2.2	Developing Departmental Procedures	17
2.3	Protection Clause	17
2.4	Recommendation Forms	18
2.5	Provisions for Student Input into Faculty Personnel Decisions	18
	Type of Process	18
	Design and Approval of Student Questionnaires	18
	Committee Structure	18
	Committee Functions and Target Date	18
	Administration of the Questionnaire	19
	Extent of Evaluation	19
	Tabulation of the Results	19
	Disputed Tabulations	20
	Retention of Forms	20
2.6	Implementation Dates	20
	Relationship to Administrative Calendar	20
	Exceptions	20

3.	APPOINTMENTS AND RETENTION OF EMPLOYEES	21
3.1-3.13	<i>State Contract Provisions</i>	21
3.14	Local Guidelines for Appointment, Retention and Tenure of Teaching Faculty	24
	Procedures and Recommendation – Department Level	24
	Who is Processed?	24
	PAC Recommendation	24
	Vacation Coverage	25
	Promotability	25
	Observations of Professional Performance	25
	Reports of Observations	25
	Department’s Recommendations	25
	Conference Request	26
	Department Chairperson-Conflict of Interest	26
	Procedure and Recommendation – Dean’s Level	26
	Recommendations – VPAA	26
	President’s Recommendation	27
3.15	Citation of Departmental or Institutional Needs	27
	Departmental Needs	27
	Institutional Needs	27
	Notification to Department	27
3.16	Grievance and Appeal Procedures – State [<i>State Contract Article VII.F5</i>]	27
3.17	Right to Resign	27
4.	PROMOTIONAL PROCEDURE	28
4.1	State Contract Provisions [<i>State Contract Article XIV</i>]	28
4.2	Local Review and Recommendations Procedures	30
4.2.1	Contents of Promotion Application	30
4.2.2	Procedure for Review	30
	Application	30
	Student Input	30
	Department Procedures and DPAC Evaluation	30
	Chairperson Evaluation	31
	Recommendation by the Dean	32
	Recommendation by the Vice President for Academic Affairs	32
	President’s Decision	32
	Withdrawal of Application	32
	Return of Forms	32
4.2.3	Special Contributions Promotions	32
4.2.4	Grievance Procedure	33
4.2.5	Automatic Promotion of Non-Tenured Instructors	33
4.2.6	Promotion of Tenured Instructors and Non-Tenured Instructors Ineligible for Automatic Promotion	33
4.2.7	President’s Prerogative	33
4.2.8	Reappointments to Higher Title for Part-Time Faculty	34
4.2.9	Distinguished Professor Program	34
	Eligibility	34

	Nomination for Promotion	34
4.2.10	Growth Promotions for Librarians	34
	Availability of Growth Promotions	34
	Goal and Definition of Growth Promotions	34
	Eligibility	34
	Criteria for Evaluation of Applications	35
	Applications	35
	Routing of the Applications	35
	LPAC Review	35
	Response to LPAC Review	35
	Forwarding of LPAC Recommendations	35
	Associate/Assistant Director Review	35
	Forwarding of Recommendations by Associate/Assistant Director	36
	Director's Review	36
	Candidate's Response to Director's Review	36
	VPAA Recommendation	36
	Candidate's Response to VPAA Recommendation	36
5.	RANGE ADJUSTMENT PROGRAM	37
5.1	Salary Ranges	37
5.2	Eligibility	38
5.3	Application	38
5.4	Department Review	39
5.5	Chairperson Review	39
5.6	Dean Review	40
5.7	VPAA Review	40
5.8	Presidential Review	41
5.9	Aggregate Data	41
6.	GENERAL EDUCATION CORE COURSES	42
6.1	Instructional Format	42
6.2	Load/Compensation	42
6.3	Travel/Acquisition of Curricular Material	42
6.4	Student Evaluation	43
6.5	Participation in the Faculty Scholarship Program (FSP)	43
7.	FACULTY FELLOWSHIPS	44
7.1	Support to Recipients of Fellowships	44
7.2	Procedures Applicable to Receipt of Fellowship Support	45
7.3	List of Approved Organizations	45
8.	SABBATICAL LEAVES	46
8.1	<i>State Contract Article XXVII.A.1</i>	46
8.2	<i>Eligibility – Application – Approval</i>	46
	<i>State Contract Article XXVII.A.1</i>	46

	<i>State Contract Article XXVII.A.2.a</i>	46
	<i>State Contract Article XXVII.A.2.b</i>	46
	<i>State Contract Article XXVII.A.2.c</i>	46
	<i>State Contract Article XXVII.A.2.d</i>	47
8.3	<i>Terms of Sabbatical Leave</i>	47
	<i>State Contract Article XXVII.B.1</i>	47
	<i>State Contract Article XXVII.B.2</i>	47
	<i>State Contract Article XXVII.B.3</i>	47
	<i>State Contract Article XXVII.B.4</i>	47
	<i>State Contract Article XXVII.B.5</i>	47
	<i>State Contract Article XXVII.B.6</i>	47
	<i>State Contract Article XXVII.B.7</i>	47
	<i>State Contract Article XXVII.B.8</i>	48
8.4	Local Application and Review Procedures	48
	Committee Recommendation	48
	Recommendations – VPAA	48
	Notification of Action	49
	Final Recommendations	49
9.	FACULTY RETRAINING PROGRAM	50
10.	MULTI-YEAR CONTRACTS FOR FULL-TIME PROFESSIONAL STAFF	51
10.1	Reference to State Contract Provisions	51
10.2	Eligibility for Multi-Year Contracts	51
10.3	Length of Multi-Year Contract	51
10.4	Review for a Multi-Year Contract	51
10.5	Evaluation Process	51
10.6	Evaluation Procedures	52
	Initial Conference with Immediate Supervisor	52
	Evaluation by the Supervisor	52
	Recommendation by the Division Head	53
	Recommendation by the President	53
	Notification of Board Action	53
	Filing of Materials	53
10.7	Definition of Immediate Supervisor	53
10.8	Appeal	53
10.9	Statute Governing Multi-Year Contracts – 18A:60-6	54
10.10	Professional Staff Reclassifications	54
11.	PROCEDURES FOR IMPLEMENTATION OF PERFORMANCE-BASED PROMOTIONS FOR PROFESSIONAL STAFF	55
11.1	Preamble	55
11.2	Eligibility	55
11.3	Procedures for Consideration for a Performance-Based Promotion	55

12.	RECLASSIFICATION PROCEDURES	57
12.1	Reference to State Contract Provision	57
12.2	Application for Reclassification	57
12.3	Procedures for Review	58
12.4	Steps Prior to Appeal	59
12.5	Appeal Process	59
13.	PROFESSIONAL STAFF PERSONAL DEVELOPMENT LEAVE (NON-FACULTY)	61
13.1	Reference to State Contract Provisions	61
13.2	Eligibility	61
13.3	Professional Development Peer Review Committee	62
	Composition	62
	Readers	62
	Term	62
	Election	62
13.4	Function	63
13.5	Criteria for Review of Personal Development Leave Application	63
	Priority Criteria	63
	General Criteria	63
13.6	Application and Committee Review Procedures	64
	Applicant Responsibility	64
	Right to an Interview	64
	Committee Actions	64
	Right to a Meeting	64
	Forwarding of Recommendations	64
	Right to Appeal	64
13.7	Administrative Review	65
	Immediate Supervisor	65
	Division Head	65
	President's Designee	65
	President	66
13.8	Terms of Personal Development Leaves	66
13.9	Report	66
13.10	Commitment of Professional Staff Members Receiving a Personal Development Leave	66
13.11	Staff Training for Professional Development	66
13.12	Professional Staff Leadership Development Program	67
	Program Purpose	67
	Eligibility	67
	Criteria	67
	Administrative Experience Opportunities	67
	Title of Professional Assistant	67
	Responsibilities of the Mentors	68
	Term of Appointment	68
	Compensation	68

	Announcements and Advertising	69
	Application Procedures	69
	Selection Procedures	69
	Evaluations	69
13.13	Non-Limited Titles	69
	Workloads	70
	Usual Work Week	70
	Work Beyond Usual Hours	70
	Arranging Compensatory Time Off	71
	Distribution of Agreement	71
14.	CAREER DEVELOPMENT PROGRAM	72
14.1	Preamble	72
14.2	Committees Required to Implement the Program	72
	Career Development Committee	72
	Structure and Membership	72
	Regular Membership	72
	Alternate Membership	72
	Exclusions	72
	Term of Office and Method of Election	73
	Sequence of Committee Actions	73
	Assessment Committees – Faculty	74
	Structure of Departmental Assessment Committees	74
	Term of Office	75
	Assessment Committees – Library	75
	Professional Staff Assessment Committee (PSAC)	75
	Composition	75
	Readers	75
	Term	75
	Election	76
	Procedures	76
14.3	Local Assessment Procedures	76
	Self-Assessment Statement	77
	Self-Assessment	77
	Implementation of the Process	78
	Data on Teaching Effectiveness	78
	Need for Additional Information	78
	Preparation of the Assessment Report	78
	Response Time	79
	Protection Clause	79
	Appeal Procedure	79
	Assessment of Faculty Teaching in Two Departments	79
	Dean’s Role as President’s Designee	80
	Assessment of Faculty on Leave	80

15.	DEPARTMENT CHAIRPERSONS	81
15.1	Method of Election and Appointment	81
15.2	Development of Criteria for Selection	81
15.3	Composition of Search Committee	81
15.4	Acting Department Chairpersons	82
15.5	Local Election Procedures	82
15.6	Election Date	82
15.7	Mid-Term Evaluation of Department Chairpersons	82
15.8	Deputy Department Chairperson	82
16.	FACULTY RIGHTS, PRIVILEGES AND RESPONSIBILITIES	84
16.1	Office Hours for Student Consultation	84
16.2	Community Activities	84
16.3	Faculty Travel Provisions	84
16.4	Organizational Chart	84
16.5	Public Notices	84
16.6	Internal Governance	84
16.7	Parking	85
16.8	Faculty Affiliation	85
16.9	Salary Rate Notification	85
16.10	Exit Procedure	85
16.11	Summer Session Course Cancellation Notification	86
16.12	Departmental Procedures and Policies	86
16.13	Definition of Seniority	86
16.14	Assignment of Non-Teaching Duties	87
16.15	Extensions of Leaves of Absence Without Pay	87
16.16	Official Files	87
16.17	Safe Conditions	87
16.18	Facilities Committee	87
16.19	Joint Appointments	88
	Occasional Joint Appointments	88
	Governance of Master Contract and LSPA	88
	Eligibility for Joint Appointments	88
	Teaching Load	88
	Home and Participating Academic Units	88
	Identifying Department and Non-Departmental Units	89
	Credentials for Joint Appointments	89
	Structure and Procedures for Joint Appointments	89
	Home Department	89
	FSP Credit Hours	89
	Voting and Participatory Rights	90
	Workload	90
	Departmental Responsibilities	90
	Processing Personnel Actions	90
	Input of Participating Unit	91
	Settlement of Complaints	91
	Current Faculty Members	91

	New Appointments	92
	Faculty Rights if Joint Appointment is Terminated-Current	
	Faculty and New Appointments	93
	Conflict on Reappointment or Tenure	93
	Termination of a Joint Appointment	93
17.	SAVINGS CLAUSE	94
18.	MAINTENANCE OF AGREEMENT	95
19.	DURATION AND TERMINATION	96
20.	APPENDIX I: QUALIFICATION FOR RANK AND EQUIVALENCIES	97
20.1	Qualification for Rank: Faculty	97
	Instructor	97
	Assistant Professor	97
	Associate Professor	97
	Professor	98
	Distinguished Professor	98
	Equivalency	98
20.2	Local Provisions for Establishment of Equivalencies	98
20.3	Qualifications for Rank – Librarians	99
20.4	Calendar for Equivalency Applications	99
21.	APPENDIX II: CRITERIA FOR SABBATICAL LEAVES	100
22.	APPENDIX III: CRITERIA FOR PROFESSIONAL STAFF LEADERSHIP DEVELOPMENT PROGRAM	101
23.	APPENDIX IV: PERFORMANCE-BASED PROMOTIONS: PROFESSIONAL STAFF	102
24.	APPENDIX V: RANGE CHANGES	103
25.	LOCAL LETTER OF AGREEMENT I – FACULTY RETRAINING PROGRAM	105
25.1	Preamble	105
25.2	Part-Time Option	105
25.3	Transfer Option	106
26.	LOCAL LETTER OF AGREEMENT II – WORKPLACE COMMITTEE	107
27.	LOCAL LETTER OF AGREEMENT III – REVIEW OF SUMMARY DATA	108

**MONTCLAIR STATE UNIVERSITY SELECTED PROCEDURES AGREEMENT
JULY 1 2003 TO JUNE 30 2007**

1. COMMITTEES REQUIRED TO IMPLEMENT UNIVERSITY PERSONNEL PROCEDURES

1.1 DEPARTMENT LEVEL

1.1.1 DEPARTMENT PERSONNEL ADVISORY COMMITTEE (DPAC)

1.1.1.1 Membership

The members and length of term of office of the DPAC will be determined at the department level by democratic process, except that no department chairperson may serve, and all of the DPAC must be tenured. No candidate for promotion may participate in the promotional procedures in the DPAC, but may serve with regard to reappointment and tenure decisions. In the event that a department decides that an insufficient number of eligible members is available for requisite personnel actions, it may request that additional members be selected from other departments within the College/School or the University. These requests shall be submitted to the designee of the VPAA for review and written approval. No person may serve at more than one level of review and recommendation for any personnel action. No department chairperson may serve as a substitute for another department chairperson for review and recommendation for any personnel action.

1.1.1.2 Term

The election of the DPAC or the filling of vacancies on the DPAC should take place during the month of February. Persons elected should assume office by May 1st.

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

1.1.1.3 Function

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

Appointments
Reappointments
Tenure
Promotion
Sabbaticals

1.1.2 STUDENT INPUT COMMITTEES (SIC)

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

1.2 COLLEGE/SCHOOL LEVEL

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

1.2.1 COLLEGE/SCHOOL RESEARCH COMMITTEE

1.2.1.1 Composition

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

1.2.1.2 Function

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

One of the functions of the Committee is to develop and disseminate procedures, guidelines and methods of reporting utilized in recommending support for research. The guidelines developed by each College/School must be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

1.3 UNIVERSITY-WIDE COMMITTEES

1.3.1 ELECTION PROCEDURES FOR UNIVERSITY-WIDE FACULTY COMMITTEES

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

Career Development Committee

Sabbatical Review Committee

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

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

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

1.3.2 UNIVERSITY PROFESSIONAL STAFF REVIEW BOARD (UPSRB)

1.3.2.1 Composition

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

One (1) by professional staff in the Division of Academic Affairs

One (1) by professional staff in the Division of University Advancement

One (1) by professional staff in the Division of Student Development and Campus Life

One (1) by professional staff in the Division of Administration

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

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

No member of the Administration, unit director or individual applying for reclassification, promotion, personal development leave, or for multi-year reappointment may serve. Exceptions to this composition must be submitted to the VPAA designee for approval.

1.3.2.2 Term

The members of the University Professional Staff Review Board will be elected for a term of one year commencing July 1. The UPSRB will elect its own

chairperson, who will serve an additional term as an ex officio member without vote to provide continuity for the UPSRB.

1.3.2.3 Function

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

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

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

1.3.2.4 Procedure

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

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

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

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

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

or

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

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

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

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

1.3.2.5 Elections

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

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

It will be the responsibility of the Union and the University Administration to convene the first meeting of the Board.

1.3.3 SABBATICAL REVIEW COMMITTEE

1.3.3.1 Composition

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

1.3.3.2 Term

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

1.3.3.3 Function

The Sabbatical Review Committee must consider all applications and recommendations submitted and must develop a list of recommendations. The Committee will rank order those individuals recommended for sabbatical leave. The procedures of this committee shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

1.3.4.1 JOINT INTERPRETATION OF THE LSPA

Requests for exceptions to existing provisions in the LSPA concerning the composition of committees or similar routine provisions of the LSPA shall be directed, in writing, to the designee of the VPAA who shall have the sole authority to decide such exceptions. The VPAA designee shall provide a copy of the request, and the written response, to the VPHR and the Union designee at the same time the response is sent to the requesting party.

When issues arise which may require resolving conflicts between provisions of LSPA, such matters shall be forwarded by the VPAA designee to the VPHR and the Union designee for their review and decision. If the VPHR and the Union designee agree on a resolution, it shall be reflected in a written decision which shall be transmitted to the requesting party by the VPAA. If the Union designee and the VPHR cannot agree, then it shall be negotiated between the parties in a timely fashion and communicated back as set forth immediately above.

1.3.4.2 JOINT REVIEW OF PROCEDURES

Where the LSPA specifically requires that the procedures of a committee and/or department be reviewed, the VPAA designee shall collect such procedures within two months following the effective date of this agreement.

The VPAA designee shall forward the procedures to the VPHR and the Union designee who shall review the procedures to insure that they are not inconsistent with the LSPA, the Statewide Agreement and relevant precedential determinations. The VPHR and Union designee shall have 30 working days from the date of receipt from the VPAA designee in which to conduct this review. If the VPHR and the Union designee determine that the procedures are not inconsistent with the LSPA, the Statewide Agreement or relevant precedential determinations, they shall so indicate in writing for transmittal back to the department/committee through the VPAA designee. If the VPHR and the Union designee determine that there is an inconsistency with the LSPA, Statewide Agreement and/or relevant precedential determinations, they shall identify the specific inconsistency in writing and communicate it back to the

committee/department through the VPAA designee. Any disagreements between parties as to whether or not a procedure is inconsistent with the LSPA shall be resolved by continued dialogue until a mutual determination can be reached. The committee/department will be required to correct the inconsistency and return the revised document to the VPAA designee who shall forward the revised document to the VPHR and Union designee.

Once reviewed, such procedures shall remain in full force and effect. In the event that a department or committee in subsequent years determines that it wants to change its procedures it shall so indicate the changes in writing to the VPAA designee. The changes shall then be reviewed pursuant to the process set forth immediately above.

The following shall submit requests for exceptions to the LSPA to the VPAA designee for decision pursuant to 1.3.4.1:

University Professional Staff Review Board

All requests for exceptions to published dates

Requests for faculty with comparable credentials to provide evaluative input to the home department in instances of joint appointments.

The following committees shall submit their procedures to the VPAA designee for review pursuant to 1.3.4.2:

Professional Development Peer Review Committee

College/School Research Committee

University Distinguished Scholar Committee

University Research Committee

University Distinguished Teacher Committee

Identifying Departments and Non-Departmental Units for joint appointments when differences within the Committee on Student Questionnaires or between the Committee and a Department or a College/School cannot be resolved

Departmental Procedures for Personnel Actions

Career Development Committee

Sabbatical Committee

1.3.5 CAREER DEVELOPMENT COMMITTEE

(Please see Section 14 on Career Development Program.)

1.3.6 PROFESSIONAL STAFF PROFESSIONAL DEVELOPMENT PEER REVIEW COMMITTEE

1.3.6.1 Composition

(Please see Section 13 on the Professional Development Peer Review Committee.)

1.3.6.2 Term

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

1.3.6.3 Function

The Professional Development Peer Review Committee will serve three functions:

(1) Personal Development Leave

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

(2) Professional Staff Leadership Development Program

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

The Professional Development Peer Review Committee will develop procedures to be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

(3) Staff Training for Professional Development

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

The Professional Development Peer Review Committee will develop procedures to be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

1.3.7 MEET AND CONFER COMMITTEE

The Union and Administration agree to establish a Meet and Confer Committee. This Committee, composed of three representatives each from the Union and Administration, will meet monthly to discuss issues of mutual concern. These meetings are not intended to bypass the grievance procedure or to be considered contract negotiations or consultations but are intended as a means of fostering good Union-Administration relations. The presentation or discussion of an item by the Meet and Confer Committee does not give the item standing in any other

forum or procedure, nor does it convey implications for the scope or the content of statewide or local negotiations, nor does it give either party the right to go to PERC to replace negotiating items by those discussed at this Committee.

1.3.8 UNIVERSITY DISTINGUISHED SCHOLAR COMMITTEE

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

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

1.3.8.1 Procedure

Faculty members may either apply or be nominated for consideration in the

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

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

The University Distinguished Scholar Committee will review the materials forwarded from the Colleges/Schools and will recommend to the President the names of the two candidates deemed most worthy of designation as University Distinguished Scholars.

The initial University Distinguished Scholar Committee shall develop and disseminate a clear statement of the form in which supporting materials are to be submitted, the procedure for evaluation and the manner in which the University

Distinguished Scholars are to report the results of their work to the Committee. When changes in the procedures are deemed necessary, they shall be the responsibility of the outgoing Committee. The procedures developed by the

University, College/School Committees shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

1.3.9 UNIVERSITY RESEARCH COMMITTEE

1.3.9.1 Composition

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

1.3.9.2 Function

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

The College/University/School Research Committees shall annually review the statements of procedures used to evaluate proposals. All procedures shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

1.3.10 UNIVERSITY DISTINGUISHED TEACHER PROGRAM

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

1.3.10.1 Procedure

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

1.3.11 UNIVERSITY DISTINGUISHED TEACHER COMMITTEE

1.3.11.1 Composition

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

1.3.11.2 Term

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

1.3.11.3 Function

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

The initial University Distinguished Teacher Committee shall develop and disseminate a clear statement of the form in which supporting materials are to be submitted and the procedures for evaluation of candidates, including procedures to be used at the College/School level. All procedures developed by the Committee shall be submitted to VPAA designee for review pursuant to Section 1.3.4.2.

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

1.3.12 COLLEGE/SCHOOL DISTINGUISHED TEACHER COMMITTEE

1.3.12.1 Composition

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

1.3.12.2 Term

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

1.3.12.3 Function

Each College/School Distinguished Teacher Committee will annually evaluate materials submitted by nominated faculty members from the College/School. Up to 25% or a maximum of three of the nominated candidates considered may be forwarded, without ranking, from each College/School to the University Distinguished Teacher Committee. The College/School Distinguished Teacher Committees must follow the procedures established by the University Distinguished Teacher Committee, and will prepare and forward a short statement in support of each recommended candidate. A copy of the statement must be provided to the candidate and accompany the College/School's material going forward to the University Distinguished Teacher Committee. The Committee's procedures shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.

1.3.13 DEAN'S ROLE

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

1.3.14 LIST(S) OF RECOMMENDED CANDIDATES

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

1.4 FACULTY SCHOLARSHIP PROGRAM (FSP)

The procedures detailed below are to be used to implement the Faculty Scholarship Program.

1.4.1 FSP PROPOSAL

1.4.1.1 Mission Statements

The University shall provide a copy of the University Mission Statement and a statement of goals of the College/School to the applicant upon request to the Dean.

1.4.2 DEPARTMENT REVIEW

The applicant shall submit her/his proposal to the Department Chairperson/designee no later than the date stipulated in the administrative calendar. Within five (5) working days, the Department Chairperson/ designee will read the proposal and inform the applicant in writing of the recommendation. The Department Chairperson/designee may approve, disapprove or request modifications in writing to the applicant.

If the Chairperson/designee has requested modifications or has disapproved the proposal and the applicant believes she/he may benefit from discussion with the Chairperson designee as to how to generate a successful proposal, she/he may, within three (3) working days, request a meeting to review the proposal with the Chairperson/designee. The applicant will have five (5) working days from the date on which the meeting is held within which to submit a revised proposal to the Chairperson/designee.

The Chairperson/designee will indicate either approved or disapproved on the requisite form, send one copy to the applicant and forward the other copy and the applicant's proposal to the Dean.

1.4.3 DEAN'S REVIEW

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

If the Dean has disapproved or requested modifications and the applicant believes she/he may benefit from discussion with the Dean as to how to generate a successful proposal, she/he may within three (3) working days, request a meeting to review the proposal with the Dean. The applicant will have five (5) days from the date on which the meeting is held within which to submit a revised proposal to the Dean.

The Dean will inform the applicant in writing of her/his approval or disapproval of the proposal. If the Dean disapproves the proposal, she/he will provide written reasons for such disapproval.

1.4.4 APPEAL TO THE PROVOST

The applicant may appeal a negative recommendation/evaluation to the Provost for her/his decision in writing.

1.4.5 FSP REPORT

1.4.5.1 Interim Report

Faculty who have received a five-year award will submit an interim report to the dean at the mid-point of the award period. The report will include a restatement of the goals identified in the proposal, a summary of the accomplishments of the first two years of effort, a description of, and rationale for, any changes in the goals as a result of the work already accomplished, and a restatement of the anticipated scholarly products that will result from the research/artistic efforts.

In the unlikely circumstance of a lack of demonstrated progress on anticipated outcomes, the Dean may require an updated interim report after a period of time mutually agreed on with the participant, may consider early cancellation of the project, or may consider other appropriate action.

1.4.5.2 Summary Report of Accomplishments

Each FSP participant shall file a summary report of accomplishments with the Department chairperson/designee and the Dean on the dates specified in the administrative calendar. Continuation in the program, for those who are reapplying, is contingent upon the timely submission of the report and evidence in the report that the objectives of the project and program are being met. Faculty wishing to apply for a new FSP cycle may incorporate the Summary Report into the Scholarly Agenda prepared for the renewal review. For faculty opting out of FSP at this point, the Summary Report is sufficient for concluding their participation.

1.4.5.2.a Department Review

Within five (5) working days of receipt of the applicant's report the Chairperson/designee shall comment on the report in writing and forward such comments to the applicant. The applicant may respond in writing to the Department Chairperson or designee's comments within five (5) working days.

The report and Department Chairperson's designee's comments shall be forwarded to the Dean by the date stipulated in the administrative calendar.

1.4.5.2.b Dean's Review

Within ten (10) working days of receipt of the participant's packet, the Dean shall provide the participant with a written evaluation of the participant's work as reported. The participant may respond in writing within five (5) working days to the Dean's written evaluation.

1.4.5.3 Integrity of Documentation

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

1.4.5.4 Distribution of FSP Credit

FSP credit will normally be distributed between the fall and spring semesters. Faculty, as part of the application, may propose an alternative distribution and/or an out-of-cycle time line for their FSP project along with the rationale for the alternative. This will be granted except where such an allocation would create otherwise insoluble problems for the delivery of educational services by the department.

1.4.6 FSP, SEPARATELY BUDGETED RESEARCH, AND CAREER DEVELOPMENT

All TCH for scholarly/creative activities will be awarded through the Faculty Scholarship Program; none will be provided from Separately Budgeted Research or Career Development programs. All individuals will remain eligible to apply for summer stipends and cash awards to cover incidental expenses related to scholarly/creative activities throughout the year from the SBR program. All individuals remain eligible to apply for up to 3 TCH of released-time per year for alternative development activities and non-released-time support from the Career Development program.

1.5 NEW FACULTY MENTOR PROGRAM

1.5.1 FACULTY MENTORS: WORKLOAD

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

1.5.2 COMPENSATION

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

1.5.3 SELECTION

The Provost will inform faculty of the opportunity to apply for service as a mentor.

Interested faculty will apply directly to their Dean and include a statement indicating why they are interested, what strengths they bring to the program, and what they expect to get from the program.

1.5.4 ELIGIBILITY

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

1.5.5 NUMBER

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

1.5.6 PARTICIPATING NEW FACULTY: ACCOUNTABILITY

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

1.5.7 ADJUSTMENT FOR EXPERIENCE

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

2. GENERAL GUIDELINES FOR PERSONNEL ACTIONS

2.1 FULFILLMENT OF OBJECTIVES

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

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

2.1.3 The following statement on tenure, adopted as MSU Board of Trustees Resolution Number 2099, of June 7, 1995, *Feasible Transfer of Responsibilities Under NJA C9:6 and 6A*, must be followed in making personnel decisions: "A reappointment conferring tenure may be offered only to faculty members who possess an appropriate terminal degree or its equivalent, except under unusual circumstances when the granting of tenure to an individual not having these qualifications is judged by a College Board of Trustees as being in the best interests of the institution." (See Appendix II for Criteria.)

2.2 **DEVELOPING DEPARTMENTAL PROCEDURES**

Each department must develop, and approve by departmental vote, then publish and disseminate, formal, regular and systematic procedures for personnel actions. Within the guidelines for development of student questionnaires presented in 2.5.2, a department or a College/School may develop its own student questionnaire to be used uniformly for evaluation. This form must be approved by the departmental or, in case of a College/School-wide questionnaire, by the College/School faculty. Procedures and questionnaires shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2. The content of the procedures is not subject to appeal or grievance.

2.3 **PROTECTION CLAUSE**

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

2.4 **RECOMMENDATION FORMS**

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

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

2.5 **PROVISIONS FOR STUDENT INPUT INTO FACULTY PERSONNEL DECISIONS**

2.5.1 **TYPE OF PROCESS**

Student input into faculty personnel decisions will be limited to information

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

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

2.5.2 **DESIGN AND APPROVAL OF STUDENT QUESTIONNAIRES**

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

2.5.2.1 **Committee Structure**

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

2.5.2.2 **Committee Functions and Target Date**

The Committee will:

- Determine the several areas or aspects of the teaching/learning process that must be covered in all questionnaires and inform departments or Colleges/Schools of these areas.
- Recommend questions that will cover these areas (several questions per area).

- Review departmental or College/School questionnaires to make sure that all areas are covered and that the results will be tabulated in an objective manner. When differences within the Committee or between the Committee and a department or a College/School cannot be resolved, the differences shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2.
- Make recommendations and/or suggestions in regard to additional questions a department or College/School may wish to add beyond those needed to cover the areas identified by the Committee.
- Make all possible efforts to have each questionnaire fit a system that allows for optical scanning and the creation of a computer printout.

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

2.5.3 ADMINISTRATION OF THE QUESTIONNAIRE

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

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

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

2.5.4 EXTENT OF EVALUATION

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

2.5.5 TABULATION OF THE RESULTS

The non-faculty group must provide the faculty member involved with a copy of the tabulation of the class survey at least three (3) days before that tabulation is sent to the department PAC chairperson.

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

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

2.5.6 DISPUTED TABULATIONS

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

2.5.7 RETENTION OF FORMS

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

2.6 IMPLEMENTATION DATES

2.6.1 Relationship To Administrative Calendar

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

2.6.2 Exceptions

Requests for exceptions to the published dates must be submitted to the VPAA designee for his/her written approval pursuant to Section 1.3.4.1.

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

3. APPOINTMENTS AND RETENTION OF EMPLOYEES

[Articles 3.1 through 3.11 appear in the State Contract, Article XIII,

Article 3.2, items f, g, and h are local MSU contract additions.]

3.1 [STATE CONTRACT ARTICLE XIII.A]

Appointment and reappointments of employees shall be made by the Board of Trustees of each College/University upon the recommendations of the President.

Appointments and reappointments of employees are subject to the availability of funds and proper recording.

3.2 [STATE CONTRACT ARTICLE XIII.B.1]

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

- a. The name of the employing College/University*
- b. The dates for which the appointment or reappointment is effective*
- c. The title of the position*
- d. The salary rate*
- e. A list of the field or fields in which he or she is expected to teach or work*
- f. Any special condition, such as a leave of absence appointment, which shall be specified.*
- g. Where the individual does not have the appropriate terminal degree, he or she must be informed of the necessity to obtain the appropriate terminal degree in his or her field in order to receive tenure.*
- h. Where the individual does not have the appropriate terminal degree, he or she shall be informed that promotion to Assistant Professor will be automatic following the earning of the appropriate terminal degree.*

3.2.1 [STATE CONTRACT ARTICLE XIII.B.2]

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

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

3.3 [STATE CONTRACT ARTICLE XIII.C]

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

3.4 [STATE CONTRACT ARTICLE XIII.D]

Full-time employees appointed to replace persons on leave or on bona fide emergencies shall be informed in their letter of appointment contracts that they will not be considered for reappointment; however, such employees shall be subject to normal evaluation procedures up to and including the first level of administrative review. Such appointments may be for one-year or half-year periods. If an opening develops at the College for which the employee is eligible, he or she may apply, and the material developed in the aforesaid evaluation procedures will be considered along with any additional information the employee presents. If employment extends beyond one (1) academic year, such employees will be on a normal contract and will be considered for reappointment in the normal manner unless reappointed to replace an employee on leave or to fill a position where there was no bona fide affirmative action search or to fill a grant-funded position.

3.5 [STATE CONTRACT ARTICLE XIII.E]

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

3.6 [STATE CONTRACT ARTICLE XIII.F]

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

3.7 [STATE CONTRACT ARTICLE XIII.G]

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

3.8 [STATE CONTRACT ARTICLE XIII.H]

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

3.9 [STATE CONTRACT ARTICLE XIII.I]

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

3.10 [STATE CONTRACT ARTICLE XIII.J]

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

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

3.11 [STATE CONTRACT ARTICLE XIII.K]

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

3.12 INDIVIDUAL LETTER OF APPOINTMENT OR REAPPOINTMENT CONTRACTS

[State Contract Article XIII.L]

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

3.13 [STATE CONTRACT ARTICLE XIII.M]

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

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

3.14.1 PROCEDURES AND RECOMMENDATION - DEPARTMENT LEVEL

3.14.1.1 Who is Processed?

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

3.14.1.2 PAC Recommendation

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

3.14.1.3 Vacation Coverage

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

3.14.1.4 Promotability

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

3.14.1.5 Observations of Professional Performance

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

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

3.14.1.6 Reports of Observations

This procedure must be followed by conferences between the non-tenured faculty member and the faculty evaluator(s) for the purpose of identifying strengths, deficiencies, extending assistance for their corrections, and improving instruction.

Evaluations must then be made in writing and must be entered into the personnel file after being signed by the evaluator(s) and the evaluated faculty member indicating that the evaluation has been seen and discussed. The faculty member has the right, within two (2) working days, to comment on any evaluation in writing and should send copies of these comments to the department chairperson and PAC and include a copy in the official personnel file prior to final recommendations by PAC and chairpersons.

3.14.1.7 Department's Recommendations

Each candidate will be evaluated by the department PAC and by the department chairperson, according to the criteria developed in the joint Union/Administration

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

3.14.1.8 Conference Request

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

3.14.1.9 Department Chairperson-Conflict of Interest

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

3.14.2 PROCEDURES AND RECOMMENDATION - DEAN'S LEVEL

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

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

3.14.3 RECOMMENDATIONS - VPAA

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

The recommendation by the VPAA will include evaluative statements on each of the major criteria for reappointment. A statement of concurrence with the dean's

evaluation on each of the major criteria will satisfy this requirement. The VPAA will provide an evaluative statement on each of the major criteria on which he or she does not concur with the dean.

In the case of a negative recommendation by the VPAA, the candidate may request an informal discussion with the VPAA. The request must be made within

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

3.14.4 PRESIDENT'S RECOMMENDATION

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

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

3.15 CITATION OF DEPARTMENTAL OR INSTITUTIONAL NEEDS

3.15.1 Departmental Needs

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

3.15.2 Institutional Needs

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

3.15.3 Notification To Department

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

3.16 GRIEVANCE AND APPEAL PROCEDURES - STATE [State Contract Article VII.F.5]

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

3.17 RIGHT TO RESIGN

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

4. PROMOTIONAL PROCEDURE

[The text of the negotiated items is in plain type. The text in italics in section 4.2.3 is not subject to negotiation. The texts in italics in Section 4.1 and Section 4.2.8 are quotes cited from the Statewide Agreement.]

4.1 STATE CONTRACT PROVISIONS [State Contract Article XIV]

4.1.1 ELIGIBILITY [State Contract Article XIV.A]

Full-time faculty members whose qualifications meet or exceed the requirements for a higher academic rank (See Appendix I in this Agreement) shall be eligible for promotional consideration to that rank. Faculty members who are promoted shall advance four (4) salary ranges.

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

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

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

The procedures for promotional consideration utilized in the College/University, if universally applicable, or in the division, department or similar unit in which the faculty member is employed, shall be fairly and equitably applied to all applicants and nominees. The procedures shall provide for consideration based on criteria established by the College/University, appropriate to the College/University and the work unit. The current and applicable procedures, including a statement of such criteria, shall be provided in written form for the understanding of all affected faculty members. This provision shall not be construed as a waiver of the Colleges'/ Universities' right to promote, under procedures set by the Colleges/Universities, employees not included in the negotiating unit. The Colleges/Universities, however, recognize the value of peer consultation and except in unusual circumstances will consult with the involved department concerning the procedures to be used in any particular case.

4.1.4 FINAL PRESIDENTIAL RECOMMENDATIONS [State Article XIV.D]

4.1.5 GRIEVANCE PROCEDURE [State Contract Article XIV.G]

Within seven (7) days after receipt of the final recommendation to the President a faculty member may initiate a grievance at Step One concerning the application based on an allegation that, after timely filing of his or her application, the promotional procedure was violated or that there was a breach of the rights of the faculty member set forth in Article II concerning discrimination or in Article V concerning academic freedom. Such a claim, if sustained, will result in processing of the application on an expedited basis. A final recommendation in such case shall be made to the President not later than May 15.

4.1.6 SALARY INCREASE AS A RESULT OF PROMOTION (State Contract Article XXII.C.1a)

An employee, when advanced from one title to another, shall move up one step in the current range and be placed on the step of the new range that is equal thereto in salary, or if no step is equal in salary, on the next higher step.

See the State Agreement Article XXII.C for further details.

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

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

4.1.8 NOTIFICATION TO PRESIDENT OF CLAIMS OF VIOLATION

[State Contract Article VII.F.5]

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

4.2 LOCAL REVIEW AND RECOMMENDATIONS PROCEDURES

4.2.1 Contents of Promotion Application

A promotion application shall consist of: 1) promotion application forms as approved by the Administration and the Union; 2) a curriculum vita; 3) copies of published materials, creative works, and any other appropriate supporting documents and materials which the candidate wishes to submit; and 4) a table of contents listing the materials submitted. A candidate for promotion may at his/her option include as part of the application written evaluation of his/her performance by one or more persons not employed by the University and chosen by the applicant. Such evaluations, if any, may address any of the criteria. When an applicant submits a large number of items as evidence of contributions for a particular promotion category, the applicant will indicate the most significant items in the category; not to exceed five in number. Each evaluator in the process is responsible for reviewing the entire contents of the promotion file for each candidate.

4.2.2 PROCEDURE FOR REVIEW

4.2.2.1 Application

A qualified faculty member may submit a request or be recommended at the department level for promotion. A qualified person is one who meets all the criteria set forth in Appendix I, 20.1 (20.1.1 through 20.1.4). Other candidates seeking to establish eligibility must meet the provisions as outlined in Appendix I, 20.1.6 and 20.2. A faculty member must submit all application materials no later than February 1.

An individual may apply for promotion in the usual manner even if a promotion grievance from a previous year is still pending.

4.2.2.2 Student Input

A systematic procedure must be established at the department level to receive student input. The provisions for student input must conform to the guidelines outlined in the General Guidelines for Personnel Actions, Section 2.5. LSPA. The summary of the student evaluations as well as the written analyses of student input prepared by the DPAC and the chairperson (sections 4.2.2.3 and 4.2.2.4 respectively) must be included with the promotion application and a copy sent to the candidate.

4.2.2.3 DEPARTMENT PROCEDURES AND DPAC EVALUATION

The full-time faculty in the department shall develop, approve by department vote, publish and disseminate systematic procedures for promotion. The

procedures shall provide for evaluation in accordance with the criteria set forth in the LSPA Appendix II and evaluation of non-teaching and teaching assignments divided between two or more departments. The procedures may also, at the option of the department, allow a candidate to present the application in person to the DPAC. If any candidate so requests, all candidates shall be given that opportunity.

The DPAC shall conduct its deliberations on each candidate for promotion and prepare a written evaluation based upon the criteria in Appendix II of the LSPA including an analysis of the student input referenced in 4.2.2.2 above. A specific determination with respect to whether the candidate is being recommended or not recommended for promotion shall also be made. The DPAC shall submit the completed forms, including the recommendation and written evaluation, to the candidate. Each candidate shall have five (5) working days to respond to the recommendation in writing. The DPAC shall respond in writing to the candidate's response within five (5) working days. The written responses of the candidate and DPAC, if any, shall be included in the promotion materials before submission of those materials to the department chairperson.

4.2.2.4 CHAIRPERSON EVALUATION

The department chairperson shall evaluate each candidate for promotion unless the chairperson is a candidate for promotion. The chairperson shall not be required to make a personal observation of the candidate's teaching. However, the chairperson shall prepare a written evaluation based upon the criteria in Appendix II of the LSPA including an analysis of the student input referenced in 4.2.2.2 above. A specific determination with respect to whether the candidate is being recommended or not recommended for promotion shall also be made.

The chairperson shall submit the completed forms, including the recommendation and written evaluation, to the candidate. Each candidate shall have five (5) working days to respond to the recommendation in writing. The chairperson shall respond in writing to the candidate's response within five (5) working days. The written responses of the candidate and the chairperson, if any, shall be included in the promotion materials before submission of those materials to the dean.

In the circumstance of the chairperson being a candidate for promotion, an official designee shall be elected by the department after consultation with the dean. This designee, who may not be a candidate for promotion, shall serve the same function as the chairperson in the promotion process and complete all the responsibilities set forth above. However, the chairperson, if tenured, shall serve in all reappointment and tenure recommendations.

4.2.2.5 RECOMMENDATION BY THE DEAN

The dean shall evaluate each candidate for promotion in writing, and either recommend or not recommend the candidate for promotion. The dean shall forward to the VPAA the evaluation, the recommendation and the promotion materials of all candidates. The dean shall send the evaluation and recommendation to the candidate. The candidate may make a written response to the dean's recommendation which response shall be sent by the candidate directly to the VPAA for incorporation into the promotion file.

4.2.2.6 RECOMMENDATION BY THE VICE PRESIDENT FOR ACADEMIC AFFAIRS

The Vice President for Academic Affairs shall either recommend or not recommend each candidate for promotion and forward the recommendation to the President and the candidate.

4.2.2.7 PRESIDENT'S DECISION

The President shall make a determination on promotion for each of the candidates and forward those recommended to the Board of Trustees. Each candidate will be informed of the President's recommendation at least ten (10) days prior to the BOT meeting. Only positive recommendations from the President shall be presented to the Board of Trustees for action.

4.2.2.8 WITHDRAWAL OF APPLICATION

At any point in the promotion process, the applicant may elect to withdraw his/her candidacy. If the applicant so decides, he/she shall indicate that decision in writing to the evaluator at the level to which the application has gone. That person shall insure the return of the applicant's file.

4.2.2.9 RETURN OF FORMS

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

4.2.3 SPECIAL CONTRIBUTIONS PROMOTIONS

A qualified faculty member may make written application for special contributions promotional consideration. A candidate for a special contributions promotion will be evaluated according to the criteria set forth in the Faculty Roles and Responsibilities document in the MSU Faculty Handbook and the promotion process shall be the same as for any other faculty member. A qualified faculty member is one who: 1) meets all applicable criteria set forth in Appendix I, 2) was employed by the University in a full-time position on or before September 30,

1972, and 3) has served continuously in the same rank at MSU since that date. The candidates must show evidence of outstanding contributions to MSU and/or the MSU community and evidence of outstanding teaching. The department chairperson, DPAC, and dean must verify the eligibility of each candidate.

4.2.4 GRIEVANCE PROCEDURE

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

4.2.5 AUTOMATIC PROMOTION OF NON-TENURED INSTRUCTORS

Non-tenured instructors whose letter of appointment contains an automatic promotion clause will be automatically promoted to assistant professor upon obtaining an earned doctoral degree or an appropriate terminal degree. These candidates will not be subject to the normal promotion process. When written verification that the doctorate or appropriate terminal degree has been earned is received by the VPAA, the promotion will be effective no later than the first day of the semester following the one in which verification was received.

4.2.6 PROMOTION OF TENURED INSTRUCTORS AND NON-TENURED INSTRUCTORS INELIGIBLE FOR AUTOMATIC PROMOTION

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

These candidates will be subject to the normal promotion procedures. The required promotion forms must be completed and submitted as provided for all promotion candidates in the administrative calendar.

When the positive recommendation from the respective department PAC, chairperson and dean and the written verification that the doctorate or appropriate terminal degree has been earned are received by the VPAA, the promotion will be effective no later than the first day of the semester following the one in which verification was received.

4.2.7 PRESIDENT'S PREROGATIVE

Nothing in this section dealing with promotions will be construed as prohibiting the President from making additional promotions.

4.2.8 REAPPOINTMENTS TO HIGHER TITLE FOR PART-TIME FACULTY

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

4.2.9 DISTINGUISHED PROFESSOR PROGRAM

4.2.9.1 Eligibility

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

4.2.9.2 Nomination For Promotion

An eligible faculty member may be nominated for promotion to the rank of Distinguished Professor by another member of the University community holding

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

4.2.10 GROWTH PROMOTIONS FOR LIBRARIANS

4.2.10.1 Availability Of Growth Promotions

There will be made available one (1) growth promotion from Librarian III to

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

4.2.10.2 Goal And Definition Of Growth Promotions .

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

4.2.10.3 Eligibility

A Librarian III who has completed one year of full-time service at MSU prior to the

application deadline and who meets the qualifications for rank of Librarian II listed in MSU BOT Personnel Procedures may apply for a growth promotion.

4.2.10.4 Criteria for Evaluation of Applications

The criteria to be used in the evaluation are those listed under Criteria for Promotion in Appendix I (see Section 20.4 in this Agreement). If the criteria are broken down into more specific criteria, these criteria must be discussed with Librarians III at the beginning of the period to which they pertain. If weights are assigned to criteria, the same obligation exists.

4.2.10.5 Applications

A candidate applying for a growth promotion will submit an application to the library PAC. The application must include a self-evaluation and a performance evaluation by the immediate supervisor based on the criteria referred to in Item 4.2.10.4 above. The immediate supervisor's evaluation will be submitted to the candidate and the LPAC. Each candidate will have two (2) working days to respond in writing to the supervisor's evaluation. The supervisor must respond in writing within four (4) working days of receipt of the candidate's communication.

4.2.10.6 Routing of the Applications

4.2.10.6.1 LPAC Review

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

4.2.10.6.2 Response to LPAC Review

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

4.2.10.6.3 Forwarding of LPAC Recommendations

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

4.2.10.6.4 Associate/Assistant Director Review

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

in writing. The associate/assistant director must respond to this appeal within four (4) working days.

4.2.10.6.5 Forwarding of Recommendations by Associate/Assistant Director

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

4.2.10.6.6 Director's Review

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

4.2.10.6.7 Candidate Response to Director's Review

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

4.2.10.6.8 VPAA Recommendation

The VPAA will make a recommendation to the President.

4.2.10.6.9 Candidate's Response to VPAA Recommendation

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

5. **RANGE ADJUSTMENT PROGRAM**

The text of the negotiated items is in plain type. The text in italics in Section 5 is quoted from the Statewide Agreement. The text in italics in Appendix V is not subject to negotiation but consultation.

5.1 **SALARY RANGES**

5.1.1 *Effective July 1, 1999 the salary ranges for the 10-month faculty titles listed below will be as follows:*

<i>Assistant Professor</i>	<i>Ranges 22, 24 and 25</i>
<i>Associate Professor</i>	<i>Ranges 26, 28 and 29</i>
<i>Full Professor</i>	<i>Ranges 30, 32, 33 and X</i>

Effective July 1, 1999, the salary ranges for the 12-month faculty titles listed below will be as follows:

<i>Assistant Professor</i>	<i>Ranges 25, 27 and 28</i>
<i>Associate Professor</i>	<i>Ranges 29, 31 and 32</i>
<i>Full Professor</i>	<i>Ranges 33, 35 and X</i>

5.1.2 *The College/University may, at its discretion, hire faculty at any step of any salary range associated with any academic rank.*

5.1.3 *The College/University may, at its discretion, increase the salary of any faculty member to any step of any range associated with his/her academic rank in response to a bona fide offer of employment or when it believes a bona fide offer of employment could be imminent because of recent achievements and/or other factors.*

5.1.4 *A Range Adjustment Program will be established at each College/University where full-time faculty are employed. Full-time faculty members who meet or exceed the merit-based criteria established for range adjustments are eligible to be considered for and may apply for a range adjustment within rank. The merit-based criteria will be established by the College/University and published for the understanding of affected employees. The procedures for consideration will be negotiated between the College/University and the Local UNION. The procedures for consideration utilized in the College/University, if universally applicable, or in a division, department or similar unit in which the faculty member is employed, shall be fairly and equitably applied to all applicants and nominees.*

5.1.5 *Article VII of the Agreement shall apply to range adjustments under the same terms and limitations as such Article applies to faculty promotions.*

5.2 **ELIGIBILITY**

- 5.2.1 Full-time faculty members who have completed three years in their current rank or range and who have not been promoted or received a range change adjustment within the three years preceding the date of their application are eligible for an upward range adjustment.
- 5.2.2 Eligible faculty members may only apply for the next highest range within their current rank as specified in 5.1.1.
- 5.2.3 A full-time faculty member may not be awarded a promotion and a range adjustment in the same academic year.

5.3 **APPLICATION**

- 5.3.1 A full-time faculty member may apply for a range adjustment within rank by submitting a request for consideration to her/his department chair. Applications must be made on the forms provided by the dean which have been mutually agreed to by the Union and the University. The chair will forward the candidate's range adjustment file to the chairperson of the Department Faculty Range Adjustment Committee.
- 5.3.2 The application shall include a current curriculum vita, a concise cover letter indicating the faculty member's accomplishments related to the specifically selected applicable merit-based criterion in Appendix V and any additional materials the faculty member wishes to submit that are directly relevant to an assessment of those accomplishments.
- 5.3.3 Evidence submitted for meeting the criterion shall be limited to accomplishments since the last promotion or last range adjustment. Evidence from a prior rank or range at Montclair State University, or prior employment at another organization or institution of higher education shall not be submitted as evidence of meeting the criterion.
- 5.3.4 Four separate and distinct time periods are provided for faculty to apply for a range adjustment during the term of the Statewide Agreement, July 1, 1999-June 30, 2003. The first three are retroactive and the application dates are specified in Appendix V B.
- 5.3.5 Starting March 10, 2003 applications may be filed and processed at any point in the academic year that the candidate believes he/she has met one of the criteria as long as the conditions in 5.2.2 above have been met. Applications received within 90 calendar days of the end of the spring semester will not be processed until the succeeding academic year.

5.4 **DEPARTMENT REVIEW**

- 5.4.1 The department shall annually elect a committee of three or more of its tenured faculty to constitute the Department Faculty Range Adjustment Committee (DFRAC). No applicant for a range adjustment may serve as a member of the DFRAC.
- 5.4.2 The DFRAC shall elect a chair from among its members by a majority vote.
- 5.4.3 The application for a range adjustment shall first be reviewed by the DFRAC. The DFRAC is responsible for certifying that the candidate is eligible for a range adjustment review. To determine that eligibility, the chairperson of the DFRAC shall obtain from the VPHR the following information for the individual candidate: date of last promotion, date of last range change, and current salary range. If the DFRAC determines that the candidate is not eligible, the candidate shall be notified in writing and his/her candidacy will be withdrawn.
- 5.4.4 The DFRAC shall review the application and all materials submitted by the candidate in order to determine whether or not the candidate meets the criterion for a range adjustment. The DFRAC shall then prepare a written evaluation and either recommend or not recommend the candidate.
- 5.4.5 The DFRAC shall forward its recommendation and written evaluation to each candidate.
- 5.4.6 Within five (5) working days of receiving the DFRAC's recommendation and written evaluation, the candidate may make a written response to the DFRAC.
- 5.4.7 Within five (5) working days of receiving the candidate's response, the DFRAC shall respond in writing. The DFRAC must consider the candidate's response. The DFRAC may confirm its original evaluation or specifically address the issue(s) raised by the candidate.
- 5.4.8 The DFRAC shall forward to the chairperson the candidate's application, associated documents, final written evaluation and recommendation, and any responses to the evaluation.

5.5 **CHAIRPERSON REVIEW**

- 5.5.1 The department chairperson shall review the application, all materials submitted by the candidate and the recommendation and evaluation of the DFRAC in order to determine whether or not the candidate meets the criterion for a range adjustment. The department chairperson shall then prepare a written evaluation and either recommend or not recommend the candidate.

- 5.5.2 The department chairperson shall forward his/her recommendation and written evaluation to each candidate.
- 5.5.3 Within five (5) working days of receiving the chairperson's recommendation and written evaluation, the candidate may make a written response to the chairperson.
- 5.5.4 Within five (5) working days of receiving the candidate's response, the chairperson shall respond in writing. The chairperson must consider the candidate's response. The chairperson may confirm his/her original evaluation or specifically address the issue(s) raised by the candidate.
- 5.5.5 The chairperson shall forward to the Dean the candidate's application, associated documents, final written evaluation and recommendation, and any responses to the evaluation.

5.6 DEAN REVIEW

- 5.6.1 The dean shall prepare a written evaluation of each candidate for a range adjustment and either recommend or not recommend the candidate for the adjustment. The dean shall forward his/her evaluation and recommendation to the candidate.
- 5.6.2 Within five (5) working days of receiving the dean's recommendation and written evaluation, the candidate may make a written response to the Dean.
- 5.6.3 Within five (5) working days of receiving the candidate's response, the dean shall respond in writing. The dean must consider the candidate's response. The dean may confirm his/her original evaluation or specifically address the issue(s) raised by the candidate.
- 5.6.4 The dean shall forward to the VPAA the candidate's application, associated documents, final written evaluation and recommendation, and any responses to the evaluation.

5.7 VPAA REVIEW

- 5.7.1 The VPAA shall evaluate each candidate for a range adjustment and either recommend or not recommend each candidate. The VPAA shall forward his/her recommendation to the candidate. Seven working days following the notification to the candidate, the VPAA shall forward the recommendations and the complete range adjustment file to the President.

5.8 PRESIDENTIAL REVIEW

- 5.8.1 The President shall notify each candidate in writing as to whether or not a range adjustment has been granted within two months of having received the application. For successful candidates in the first three rounds, the effective date of the adjustment is set forth in Appendix V B. Thereafter, the adjustment shall become effective the following September 1st (Except for 12-month faculty whose effective date shall be the following July 1st.)

5.9 AGGREGATE DATA

In each year of this agreement on or about May 1st, the Vice President for Human Resources will meet with three designees of Local 1904 for the purpose of reviewing aggregate data for that year. Such data shall include the number of applicants, the College/School, and Department, rank and range, gender, race, length of service at Montclair State University, date of last promotion/range change and decision on each applicant.

6. GENERAL EDUCATION CORE COURSES

The text of the negotiated items is in plain type. The text in italics is not subject to negotiation.

After extensive study and consultation, the General Education Review Committee recommended, and the faculty approved, the inclusion of three interdisciplinary, team taught core courses in the revised General Education curriculum. The following sections define the format in which the courses will be offered and establish the instructional load for faculty who participate in the program.

6.1 INSTRUCTIONAL FORMAT

6.1.1 The core courses in the revised General Education Requirement will be taught to sections of approximately 100 students. Two-thirds of the instruction each semester will occur in large lecture format. The remaining one-third of the instruction each semester will occur in discussion groups of approximately 25 students.

6.1.2 A team of two faculty members will be responsible for student learning in each of the core course sections. Each faculty member will be responsible for one-half of the large lecture and one-half of the discussion group instruction each semester. It is expected that both members of the faculty team will be present at all lectures, but that only one member of the faculty team will meet with a discussion group.

6.2 LOAD/COMPENSATION

6.2.1 Each member of the instructional team will serve on a voluntary basis and receive 6 Teaching Credit Hours (TCH) for all his/her instructional responsibilities associated with a core course, as well as for undertaking the coordinating of activities that team teaching involves.

6.2.2 The first time a faculty member participates in team teaching a core course she/he will receive a stipend of \$2500 in the summer preceding the semester in which the course will be taught in recognition for the collaboration involved in preparing for a team-taught interdisciplinary course. Thereafter, each new team shall be entitled to the \$2500 stipend per member in the summer preceding the first time that new team prepares to teach an interdisciplinary core course.

6.3 TRAVEL/ACQUISITION OF CURRICULAR MATERIALS

6.3.1 Beginning in academic year 2002-2003 and in each year thereafter, the Provost shall make available a maximum of \$10,000 per year for the purchase of curricular materials/software directly related to team teaching/interdisciplinary teaching in general education. The materials/software purchased shall be

retained in a central location for the use of any faculty member participating in the teaching of general education core courses.

- 6.3.2 Beginning in summer of 2003 and in each year thereafter, the Provost shall provide the funds necessary to support travel to one or two conferences directly related to the teaching of general education core courses for a maximum of 1/3 of the faculty participants in that year. Faculty traveling to the conference(s) shall be required to attend in teams of no less than three and shall also be required to share their experience with all of their colleagues upon their return. Individual faculty members will have access to these funds once every three years.

6.4 STUDENT EVALUATION

Student evaluation of faculty performance for purposes of any personnel action will be conducted in accordance with all relevant provisions of the Statewide Agreement and the LSPA, and shall be distributed only to students in that same faculty member's discussion section(s).

6.5 PARTICIPATION IN THE FACULTY SCHOLARSHIP PROGRAM (FSP)

Any member of an interdisciplinary team teaching a core course in the general education program may submit a new or changed FSP proposal related to this teaching program. No faculty member may have more than one FSP project at the same time.

7. FACULTY FELLOWSHIPS

The text of the negotiated items is in plain type. The text in *italics* is not subject to negotiation.

Montclair State University recognizes the importance of prestigious fellowships to support the professional development of faculty and enhance the prominence of the University. In order to ameliorate the financial obstacles that sometimes prevent otherwise eligible faculty from pursuing such opportunities, the University encourages faculty members to apply for fellowships and sabbaticals for the same period of time. In addition, the University will provide the support described below to a full-time faculty member who has received, in a competitive process, a fellowship from an organization on the Approved Organization list that requires an absence of at least one full semester and who meets the conditions enumerated below.

7.1 SUPPORT TO RECIPIENTS OF FELLOWSHIPS

7.1.1 Faculty members who receive a prestigious fellowship whose fellowship monies do not cover the faculty member's salary and benefits may apply for additional support under this program. That support would make up the shortfall if the stipend paid the faculty member by the fellowship were less than the faculty member's normal salary would be for the fellowship period.

The faculty member may, if eligible, apply for a sabbatical at the same time as the fellowship. Faculty eligible for sabbatical shall indicate on their application for support under this program whether or not they are also applying for the

sabbatical. In the event that the faculty member who is eligible for a sabbatical does not apply for the sabbatical, the Provost, after consultation with the graduate dean, the appropriate College/School dean and the faculty member's department shall decide whether the faculty member shall receive the support set forth herein.

In any case, travel, research and/or other expenses paid by the fellowship shall be excluded from the salary calculation.

7.1.2 The University will continue the faculty member's normal benefits if these are not provided for by the fellowship.

7.1.3 Faculty who are currently participating in the FSP and who are approved for faculty fellowship support may request an extension of the FSP for one additional year.

7.2 PROCEDURES APPLICABLE TO RECEIPT OF FELLOWSHIP SUPPORT

7.2.1 *The faculty member's tenure clock and years of service credit will continue during the fellowship period.*

7.2.2 The faculty member must inform his/her chair, dean, and the Office of Research and Sponsored Programs/Office of Development (as appropriate) of his/her intent to apply for the fellowship two months in advance of the fellowship deadline; receive a commitment of the University resources from the Provost; complete the application process, including the standard grant routing sheet two weeks in advance of deadline; and inform the chair, dean, the Office of Research and Sponsored Programs/Office of Development (as appropriate), and the Office of the Provost immediately upon notice of award or non-award of the fellowship.

7.2.3 If the fellowship opportunity being pursued by the faculty member does not appear on the approved list, it must first meet the following criteria to be considered for University support:

1) *the sponsoring organization must be held in high regard by the academic community for fostering scholarship of the highest quality,*

2) *the faculty applicant will have to have earned his/her fellowship in a competitive process of national scope, and*

3) *there can be no intervening parties/organizations between the sponsoring organization and the awardee.*

If the fellowship opportunity does meet the criteria set forth above, the faculty member may request of his/her department their recommendation to the Provost that the faculty member be funded under the provisions set forth in this document in the section entitled "Support to Recipients of Fellowships."

7.3 LIST OF APPROVED ORGANIZATIONS

USIA/Department of State - Council for International Exchange of Scholars (Fulbright Awards)

Guggenheim Foundation

Kellogg Foundation

Rockefeller Foundation

Mellon Foundation (Woodrow Wilson National Fellowships)

National Endowment for the Arts

National Endowment for the Humanities

National Institutes of Health

National Science Foundation

8. SABBATICAL LEAVES

[Articles 8.1 through 8.3.8 are quoted from the State Contract, Article XXVII.]

8.1 STATE CONTRACT ARTICLE XXVII.A.1

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

8.2 ELIGIBILITY- APPLICATION- APPROVAL

8.2.1 STATE CONTRACT ARTICLE XXVII.A.1

All full-time tenured faculty members...and librarians who, as of June 30 prior to the year for which the leave is requested, have completed a period of six (6) or more consecutive years of service at a College/University shall be eligible to apply for a sabbatical leave during the 2003-2004, 2004-2005, 2005-2006, or 2006-2007 academic years. Sabbatical leaves are granted no more frequently than once every seven (7) years.

8.2.2 STATE CONTRACT ARTICLE XXVII.A.2.a

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

8.2.3 STATE CONTRACT ARTICLE XXVII.A.2.b

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

8.2.4 STATE CONTRACT ARTICLE XXVII.A.2.c

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

8.2.5 STATE CONTRACT ARTICLE XXVII.A.2.d

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

8.3 TERMS OF SABBATICAL LEAVE

8.3.1 STATE CONTRACT ARTICLE XXVII. B.1

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

8.3.2 STATE CONTRACT ARTICLE XXVII.B.2

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

8.3.3 STATE CONTRACT ARTICLE XXVII.B.3

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

8.3.4 STATE CONTRACT ARTICLE XXVII.B.4

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

8.3.5 STATE CONTRACT ARTICLE XXVII.B.5

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

8.3.6 STATE CONTRACT ARTICLE XXVII.B.6

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

8.3.7 STATE CONTRACT ARTICLE XXVII.B. 7

Faculty members or librarians on such leave are permitted to receive additional compensation in the form of fellowships, government grants, and honoraria for purposes related to the leave and part-time employment directly related to the project at an institution where they are in residence for the purpose of study and research in addition to the partial salary from the College/University, provided that total

compensation from all sources does not exceed such faculty members' full salary at the College/University. The leave may not be used to accept paid employment during the period of the leave except as provided above.

8.3.8 STATE CONTRACT ARTICLE XXVII.B.8

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

8.4 LOCAL APPLICATION AND REVIEW PROCEDURES

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

8.4.2 Applications will be reviewed and recommendations made by the Department Personnel Advisory Committee, the department chairperson, and the dean of the College/School. All applications and recommendations will be forwarded to the office of the VPAA.

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

8.4.4 COMMITTEE RECOMMENDATION

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

8.4.5 RECOMMENDATIONS - VPAA

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

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

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

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

8.4.6 NOTIFICATION OF ACTION

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

8.4.7 FINAL RECOMMENDATIONS

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

8.4.8 SABBATICAL LEAVE REPORT

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

9. FACULTY RETRAINING PROGRAM

In compliance with the *Letter of Agreement II in the 1995-1999 Agreement between the State of New Jersey and the Council of New Jersey State College Locals*, Montclair State University and Local 1904 agree to facilitate the retraining of tenured faculty members for part-time or full transfer to departments identified as those in high need of qualified faculty. The program is described in Letter of Agreement I (see Section 26) appended to this document.

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

10.1 REFERENCE TO STATE CONTRACT PROVISIONS

Appendix I of the State Contract includes the provisions for multi-year contracts for non-faculty professional staff. Included below are the Local Provisions negotiated to implement the State Guidelines.

10.2 ELIGIBILITY FOR MULTI-YEAR CONTRACTS

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

10.3 LENGTH OF MULTI-YEAR CONTRACT

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

10.4 REVIEW FOR A MULTI-YEAR CONTRACT

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

10.5 EVALUATION PROCESS

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

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

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

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

she shall still have the full five (5) days to prepare the self-assessment. This will include an action timetable.

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

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

10.6 EVALUATION PROCEDURES

10.6.1 INITIAL CONFERENCE WITH IMMEDIATE SUPERVISOR

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

- review the evaluation process and procedures;
- update his or her job description (see Section 10.10);
- discuss the specifics of the criteria that will be applied to the candidate's assessment.

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

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

10.6.2 EVALUATION BY THE SUPERVISOR

The supervisor will consider the self-evaluation and he or she will develop an

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

10.6.3 RECOMMENDATION BY DIVISION HEAD

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

10.6.4 RECOMMENDATION BY THE PRESIDENT

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

10.6.5 NOTIFICATION OF BOARD ACTION

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

10.6.6 FILING OF MATERIALS

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

10.7 DEFINITION OF IMMEDIATE SUPERVISOR

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

10.8 APPEAL

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

10.9 **STATUTE GOVERNING MULTI-YEAR CONTRACTS - 18A:60-6**

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

10.10 **PROFESSIONAL STAFF RECLASSIFICATIONS**

If, as a result of the initial conference with the immediate supervisor (see Section 10.6.1), an employee believes that a substantial change in job responsibilities has occurred, he or she may apply to the first level non-unit supervisor for a position reclassification.

11. PROCEDURES FOR IMPLEMENTATION OF PERFORMANCE-BASED PROMOTIONS FOR PROFESSIONAL STAFF

11.1 PREAMBLE

Article XVI, Section D of the State Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO provides that:

Full-time professional staff employees who meet or exceed the criteria for performance-based promotion are eligible to be considered for such promotions, which consist of advancement to the next highest title in the employee's title series.

The next highest title for Program Assistants will be Professional Services Specialist IV. The criteria for performance-based promotion will be established by the College/University President and provided in written form for the understanding of all affected employees. An eligible full-time professional staff employee and/or the employee's out-of unit supervisor may submit written application setting forth justification for promotion to the College/University president or designee thereof. The College/University President shall determine whether a promotion shall be granted.

11.2 ELIGIBILITY

Any full-time professional staff member of the University who has met or exceeded the established criteria may apply for or be recommended by the employee's immediate supervisor for a performance-based promotion.

11.3 PROCEDURES FOR CONSIDERATION FOR A PERFORMANCE-BASED PROMOTION

11.3.1 An eligible employee and/or his/her immediate supervisor, on behalf of the eligible employee, may submit written application on forms which have been mutually agreed to by the Union and the Administration setting forth justification for promotion to the President or designee thereof. The forms will be available in Human Resources by October 20th. Justification shall entail a statement covering how the applicant meets each of the criteria established by the University including specific examples and any objective documentation. Attachments to the justification shall include a statement of the individual's current title, his/her employment history at the University, his/her current job description, and, in the case of the application being made by the eligible employee, a copy of the immediate supervisor's evaluation for performance-based promotion.

- 11.3.2 An eligible employee who is making application for a performance-based promotion shall request of his/her immediate supervisor a written evaluation for performance-based promotion as required as an attachment to the application. The candidate shall forward the promotion application to the immediate supervisor for review before the supervisor makes his/her evaluation. Such evaluation shall include the immediate supervisor's professional judgment of the applicant's performance with respect to each of the criteria included in the University Policy on Performance-Based Promotion for Professional Staff; the areas in which the applicant might want to improve, if any, and, a recommendation with respect to the performance-based promotion. The evaluation shall be provided to the applicant within twenty (20) working days of the request. The applicant shall have the opportunity to respond in writing to the immediate supervisor's evaluation and the immediate supervisor will respond again in writing to the applicant's response. Each of their responses shall be made within ten (10) working days. All such responses shall be appended to the application that will be forwarded to the President by the applicant.
- 11.3.3 The eligible full-time professional staff member will be notified by the President within sixty (60) working days as to whether or not a performance-based promotion has been granted. If the promotion is denied, the President shall set forth her/his reasons in writing to the applicant.
- 11.3.4 The evaluation provided by the immediate supervisor and the decision letter of the President in this process will not be used in personnel actions other than this or subsequent applications for a performance-based promotion.
- 11.3.5 The procedures used for the consideration for a performance-based promotion shall be fairly and equitably applied.
- 11.3.6 An eligible member of the professional staff or his/her immediate supervisor, on behalf of the employee, may make application for a performance-based promotion by January 15.
- 11.3.7 The effective date of the performance-based promotion shall be July 1 following the date of application.

12. RECLASSIFICATION PROCEDURES

12.1 Article XVI, Section F, of the State Agreement between the State of New Jersey and the Council of New Jersey State College Locals, AFT, AFL-CIO provides that: When the duties and responsibilities contained in the employee's local job description change to the extent that they are no longer similar to the duties and responsibilities set forth in the current generic job specification, the position may be eligible for a position reclassification review. Professional staff employees may apply to the first level non-unit supervisor for a position reclassification whenever their duties and job responsibilities have changed as set forth above.

12.1.1 At each College/University, the procedures for position reclassification review shall provide for completion of the process and transmission of a final determination to the affected employee within ninety (90) days from the date of submission of the employee's application. Waivers of the deadline in particular cases may be agreed to by the College/University and the Local UNION. Reasonable requests for waivers will be granted.

12.2 APPLICATION FOR RECLASSIFICATION

12.2.1 An application for reclassification may be initiated by the employee or his/her immediate supervisor in writing on the appropriate Human Resources form which has been mutually agreed to by Local 1904 and the University. Attachments to the form must include:

a.) Any and all job descriptions under which the employee has worked while in this title. If the employee does not have the job description, he/she may request copies from the supervisor.

b.) A listing of any new and/or additional job duties not included in the prior job descriptions(s) as well as identification of any of the duties from the prior job description(s) no longer being performed.

12.2.2 Material/information which may be included by the employee beyond that which is set forth above is that which provides additional explanation as to how the scope of work and/or level of responsibility/authority has changed; how the specific duties and responsibilities of the position do not conform to the job description for the title, and/or which otherwise supports the employee's request for a reclassification.

12.2.2.1 An application for reclassification may be submitted at any time that the employee believes his/her duties and responsibilities have changed to a sufficient extent as to warrant a reclassification.

12.3 PROCEDURES FOR REVIEW

- 12.3.1 Prior to submitting the application to his/her immediate supervisor, the employee should review the application checklist which is part of the form to insure that the contents of the application conform to the list of required materials. If after so doing, the applicant is still uncertain as to whether the application is complete, the applicant may review the checklist with Human Resources to insure its completeness.
- 12.3.2 If the application is initiated by the employee, it must first be reviewed by his/her supervisor who will indicate by signature on the appropriate line whether the supervisor agrees with the description of the job duties. Disagreement by the supervisor will not preclude the request from further consideration, nor will approval necessarily guarantee reclassification. The supervisor will also provide a current organizational chart with an indication in each box of bargaining unit and salary range (e.g. U-18) with a copy to the applicant if requested.
- 12.3.3 If there is a disagreement, at this or any other level of the process, concerning the duties being performed by the employee, at whichever level of review the disagreement first arises, the applicant may request that a desk audit be conducted by a Human Resources Manager to determine exactly what duties are being performed or the applicant may withdraw the application. The findings of the desk audit will be appended to the request for reclassification as it proceeds through the next levels of review.
- 12.3.4 If there are intermediary line supervisors between the immediate supervisor and the applicant's divisional vice president, these supervisors will in turn also review the application with respect to whether the job duties and responsibilities are described correctly and so indicate on the appropriate line.
- 12.3.5 The application will then be reviewed by the applicant's divisional vice president. The vice president will review the description of duties as set forth in the application first to determine if he/she agrees that these are the duties being performed and then to determine if he/she agrees that this position should include these duties. The vice president will then indicate on the appropriate line his/her determination as to whether these are the duties that are being performed and which of these duties, if any he/she has determined should no longer be performed by this position and forward the reclassification application to the next level of review.
- 12.3.6 A Human Resources Manager, who is not the individual who has performed the desk audit, if any, will perform a technical review to determine whether or not a reclassification is warranted on the basis of continuing assigned job responsibilities which have been approved by the divisional vice president, or, to determine if the duties which have been designated by the divisional vice

president for removal from this position constitute work which is beyond the scope of the original classification. A change in job duties will not necessarily warrant a reclassification nor constitute work which is beyond the scope of the original classification. The HR manager shall indicate his/her recommendation on the appropriate form and include a written rationale for his/her recommendation.

- 12.3.7 If it is the recommendation of the HR manager that the duties being performed are, in fact, beyond the scope of the assigned job responsibilities on which the original classification was based, the University will phase out those duties which are beyond the scope within ninety (90) days from the date of application for reclassification, or, reclassify the position in accordance with the recommendation of the HR manager. If the decision is to reclassify the position, the employee and his/her supervisor shall be informed by the divisional vice president of the new title, range and salary.
- 12.3.8 The reclassification process will be completed within ninety (90) days from the date of submission of the request for reclassification.
- 12.3.9 The effective date of the reclassification, if approved, will be the date the application was filed.

12.4 STEPS PRIOR TO APPEAL

- 12.4.1 If the request for reclassification is denied based on the recommendation of the HR manager and the employee or his/her supervisor disagrees with the reclassification decision, a request may be made for a copy of the HR manager's written rationale.
- 12.4.2 Should the employee or his/her supervisor have issues with the reclassification decision, the final level of administrative review shall be the Vice President for Human Resources.
- 12.4.3 Should an employee or his/her supervisor wish to meet with the Vice President for Human Resources prior to the Vice President reviewing the reclassification decision, the requesting party may schedule a mutually convenient date on which to meet.

12.5 APPEAL PROCESS

- 12.5.1 Any appeal of a reclassification dispute shall be resolved pursuant to Letter of Agreement VII of the Statewide Agreement which states "All disputes concerning reclassification shall be resolved by appeal pursuant to N.J.S.A. 18A:3B-6(f) except that disputes concerning the application of the 90-day deadline set forth in Article XVI.F.2 shall be grievable pursuant to Article VII B.1. Article VII of the

Agreement shall apply to reclassification under the same terms and limitations as such Article applies to faculty promotions.

Title 18A:3B-6(f) specifies one of the powers and duties of the Governing Board of the University as "To have final authority to determine controversies and disputes concerning tenure, personnel matters of employees not classified under Title 11A of the New Jersey Statutes, and other issues arising under Title 18A of the New Jersey Statutes involving higher education except as otherwise provided herein. Any hearings conducted pursuant to this section shall conform to the requirements of the "Administrative Procedures Act" P.L. 1968, c.410 (C.52:14B-1 et seq.). The final administrative decision of a governing board of higher education is appealable to the Superior Court, Appellate Division.

13. **PROFESSIONAL STAFF PERSONAL DEVELOPMENT LEAVE (NON-FACULTY)**

13.1 **REFERENCE TO STATE CONTRACT PROVISIONS**

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

13.2 **ELIGIBILITY**

13.2.1 All full-time professional staff not serving on the Professional Development Peer Review Committee are eligible to apply for Personal Development Leave of up to one semester. Leaves of one semester duration will be granted no more frequently than once every six (6) years. Leaves of shorter duration will be granted no more frequently than once every three (3) years.

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

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

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

13.3 PROFESSIONAL DEVELOPMENT PEER REVIEW COMMITTEE

13.3.1 COMPOSITION

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

- 13.3.1.1 Four professional staff members in the negotiating unit, including at least one (1) professional staff member from the Division of Academic Affairs, at least one (1) professional staff member from the Division of University Advancement and at least one (1) professional staff member from the Division of Student Development and Campus Life, and having at least three (3) years of service at the University. They will be elected by the unit professional staff members. When considering applications for Staff Training for Professional Development the Committee will expand to include one (1) representative from the librarian group.
- 13.3.1.2 One Union observer (non-voting).
- 13.3.1.3 The chairperson (non-voting), to be appointed by the President.

13.3.2 READERS

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

13.3.3 TERM

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

13.3.4 ELECTION

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

13.4 **FUNCTION**

- 13.4.1 The Review Committee is charged with the responsibility of reviewing and making recommendations on applications for Personal Development Leaves. The Committee will announce the availability of Personal Development Leaves and make available to applicants instructions on how to apply.
- 13.4.2 Upon receipt of applications the Committee will proceed as follows:
- 13.4.2.1 The two (2) independent Readers' evaluations will be forwarded to the Committee.
- 13.4.2.2 The Committee will evaluate the applications, taking into consideration the Readers' evaluations, and the four elected professional staff members will group them into two categories, recommended and not recommended. The recommended group will be arranged in rank order on the basis of the merit of the proposal. In the case of equal merit, seniority of the applicant will be a factor in the ranking.
- 13.4.2.3 The application, the Readers' evaluations and the Committee's recommendations and rankings will be forwarded to the President's designee.

13.5 **CRITERIA FOR REVIEW OF PERSONAL DEVELOPMENT LEAVE APPLICATIONS**

13.5.1 **PRIORITY CRITERIA**

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

13.5.2 **GENERAL CRITERIA**

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

13.6 APPLICATION AND COMMITTEE REVIEW PROCEDURES

13.6.1 APPLICANT RESPONSIBILITY

The applicant will prepare his or her application in duplicate. One copy will be forwarded to the Peer Review Committee. One copy will be forwarded to the immediate supervisor. (See 13.7 Administrative Review.)

13.6.2 RIGHT TO AN INTERVIEW

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

13.6.3 COMMITTEE ACTIONS

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

13.6.4 RIGHT TO A MEETING

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

13.6.5 FORWARDING OF RECOMMENDATIONS

The Committee will indicate its recommendations in a letter to the President's designee and simultaneously inform each applicant of its final recommendation as it pertains to the individual applicant. Reasons for the Committee's decision to recommend or not recommend will be forwarded to the applicant and the President's designee.

13.6.6 RIGHT TO APPEAL

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

13.7 **ADMINISTRATIVE REVIEW**

13.7.1 **IMMEDIATE SUPERVISOR**

13.7.1.1 The immediate supervisor evaluates the merits of the application using the guidelines in 13.4 and indicates whether or not the absence of the individual for the period stated will create an undue hardship for the section in which the applicant is employed.

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

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

13.7.2 **DIVISION HEAD**

Upon receipt of the recommendations from the supervisors, the division head will evaluate the applications as in 13.7.1.1 above and forward his or her recommendations, positive ones in order of priority, to the President's designee. The applicant must be informed of the recommendation regarding his or her application.

13.7.3 **PRESIDENT'S DESIGNEE**

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

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

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

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

13.7.4 PRESIDENT

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

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

13.8 TERMS OF PERSONAL DEVELOPMENT LEAVES

Professional staff members on such leave are permitted to receive additional compensation in the form of fellowships, government grants, and honoraria for

purposes related to the leave, and part-time teaching positions at an institution where they are in residence for the purpose of study and research, in addition to the partial salary from the University, provided the total compensation from all sources does not exceed the professional staff member's full salary at the University. The leave may not be used to accept full-time paid employment during the period of the leave.

Personnel on Personal Development Leaves may not be precluded from continuing outside employment which they had prior to going on leave.

13.9 REPORT

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

13.10 COMMITMENT OF PROFESSIONAL STAFF MEMBERS RECEIVING A PERSONAL DEVELOPMENT LEAVE

Professional staff members receiving a Personal Development Leave will, before accepting this benefit, commit themselves in writing to at least one more calendar year of association with the University upon return from this leave. If in the opinion of the President extenuating circumstances exist, the University may waive this requirement.

13.11 STAFF TRAINING FOR PROFESSIONAL DEVELOPMENT

To more closely address the needs and importance of professional development for unit professional staff members and librarians a supplemental Staff Training for Professional Development account will be established in each academic year

of this contract, subject to the availability of funds. In addition to other funding sources for seminars, workshops, courses and conferences, related to their area of responsibility, professional staff and librarians may make application to the Professional Development Peer Review Committee to use these resources.

13.12 PROFESSIONAL STAFF LEADERSHIP DEVELOPMENT PROGRAM

12.12.1 PROGRAM PURPOSE

One of the important functions of a University is to encourage the professional development of its professional staff members. The Professional Staff Leadership Development Program is established to give wider recognition to the important contributions of unit professional staff members and to facilitate avenues for their professional development. The Leadership Development Program will provide the opportunity for a full-time professional staff person to work on assignment in the Offices of the Division Heads. Tasks assigned to the professional assistant will be at a level designed to enhance the credentials of professional staff members seeking administrative positions.

13.12.2 ELIGIBILITY

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

13.12.3 CRITERIA

See Appendix III

13.12.4 ADMINISTRATIVE EXPERIENCE OPPORTUNITIES :

Opportunities for administrative experience may be available in the Offices of the President, Provost, Senior Vice President for Administration, Vice President for Human Resources, Vice President for Student Development and Campus Life, and/or Vice President for University Advancement.

13.12.5 TITLE OF PROFESSIONAL ASSISTANT

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

13.12.6 RESPONSIBILITIES OF THE MENTORS

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

13.12.7 TERM OF APPOINTMENT

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

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

13.12.8 COMPENSATION

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

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

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

13.12.9 ANNOUNCEMENTS AND ADVERTISING

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

13.12.10 APPLICATION PROCEDURES

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

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

13.12.11 SELECTION PROCEDURES

The Professional Development Peer Review Committee will a) receive all applications, b) evaluate and rank order the applications according to their merits and c) subsequently forward the recommended nominees to the Division Heads.

The Division Heads will interview applicants and will make the final selection of the Professional Assistant(s).

13.12.12 EVALUATIONS

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

13.13 NON-LIMITED TITLES

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

13.13.1 WORKLOADS

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

13.13.2 USUAL WORK WEEK

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

13.13.3 WORK BEYOND USUAL HOURS

13.13.3.1 When the work requirement is significantly beyond the usual hours for a given position, the supervisor will inform the employee of the expectation. Whenever possible, the supervisor will inform the employee ten (10) working days prior to the need for work beyond the ordinary work week.

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

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

13.13.4 ARRANGING COMPENSATORY TIME

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

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

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

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

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

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

13.13.5 TAKING COMPENSATORY TIME OFF

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

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

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

13.13.6 DISTRIBUTION OF AGREEMENT

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

14. CAREER DEVELOPMENT PROGRAM

14.1 PREAMBLE

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

14.2 COMMITTEES REQUIRED TO IMPLEMENT THE PROGRAM

14.2.1 CAREER DEVELOPMENT COMMITTEE

14.2.1.1 STRUCTURE AND MEMBERSHIP

14.2.1.1.1 REGULAR MEMBERSHIP

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

14.2.1.1.2 ALTERNATE MEMBERSHIP

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

14.2.1.1.3 EXCLUSIONS

The following will be excluded from eligibility for the Committee:

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

14.2.1.2 TERM OF OFFICE AND METHOD OF ELECTION

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

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

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

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

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

14.2.1.3 SEQUENCE OF COMMITTEE ACTIONS

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

14.2.1.3.2 The Committee will develop and use a systematic procedure for evaluating proposals and making its recommendations. Priority will be given to proposals supported by recommendations of the Departmental Assessment Committees. This procedure shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2

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

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

- 14.2.1.3.5 The chairperson will, by May 15, call for proposals for funding in the Winter and Spring of the next academic year. These proposals should be submitted to the chairperson by October 1.
- 14.2.1.3.6 The Committee will prepare a list of recommended projects from the proposals submitted for Winter and Spring funding. This list will be submitted to the President or his or her designee by November 1.
- 14.2.1.3.7 Administrative action on these proposals will be completed by December 1.
- 14.2.1.3.8 Projects which begin in June and continue into July will be considered as Spring projects if there is more time spent in June than in July, and as Summer projects otherwise.
- 14.2.2 ASSESSMENT COMMITTEES - FACULTY
- 14.2.2.1 STRUCTURE OF DEPARTMENTAL ASSESSMENT COMMITTEES
- 14.2.2.1.1 The committee charged with the assessment process must consist of three tenured faculty members, all of whom must occupy regular faculty lines.
- 14.2.2.1.2 The department must elect two members and two alternates to the Assessment Committee to serve for all career development assessments within the department. Two alternate members must be available to serve in the event that a regular member cannot serve. The election will take place at the December department meeting, beginning December, 1983 for the following year.
- 14.2.2.1.3 The person being assessed will appoint one member of his or her Assessment Committee. This person may come from any academic department providing that, in the opinion of the assessee, the individual possesses the particular expertise needed to serve as an assessor in this area.
- 14.2.2.1.4 If the elected members of the Departmental Assessment Committee challenge the credentials of the selected member, they may appeal the right of that individual to serve on the Committee. This appeal will be to an ad hoc committee composed of the departmental PAC chairperson, the department chairperson and the dean of the College/School of the individual being assessed.
- 14.2.2.1.5 Neither department chairperson nor a PAC chairperson may serve in the appeal process if either is an interested party in the dispute.
- 14.2.2.1.6 Department chairpersons or PAC chairpersons may not be elected as members or alternates of assessment committees, but they may serve as selected members.

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

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

14.2.2.2 TERM OF OFFICE

The Departmental Assessment Committee serves for one year.

14.2.3 ASSESSMENT COMMITTEES - LIBRARY

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

14.2.4 PROFESSIONAL STAFF ASSESSMENT COMMITTEE (PSAC)

14.2.4.1 COMPOSITION

The Professional Staff Assessment Committee shall be composed as follows:

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

14.2.4.1.2 One union observer and one observer for the administration (non-voting).

14.2.4.2 READERS

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

13.2.4.5 TERM

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

14.2.4.4 ELECTION

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

14.2.4.5 PROCEDURES

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

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

14.3 LOCAL ASSESSMENT PROCEDURES

State Contract Appendix II: Career Development Program for all Full-Time Employees:

PREAMBLE

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

Every five years, the individual tenured faculty member/librarian shall engage in an in-depth self-study to determine the manner in which he/she may best advance his/her own professional growth. Participation in this program will not only yield great personal reward but will also serve to satisfy the requirements of N.J.S.A. 18A:60-10.

Additionally, participation will secure priority access to funds negotiated for this purpose, as well as any other institutional funds which may be made available. It is further recognized by the parties that a program of genuine career development for the improvement of instruction should be positive in nature and is best achieved in an atmosphere of trust and cooperation.

The career development program is not intended to constitute a replacement for

waiver of rights of any individual accruing under Title 18.4 of the Revised New Jersey Statutes. No personnel actions involving punitive procedures shall be based on or in any way use the results of the evaluations for the career development program. The employer shall not be prevented from following up leads developed in the career development evaluation process.

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

1. Employees who were assessed and found to have identified areas for improvement.

2. Applications which are consistent with the expressed direction/mission and needs of the College/University and/or to improve instruction.

3. Other criteria as determined by each College/University.

14.3.1 SELF-ASSESSMENT STATEMENT

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

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

14.3.1.3 SELF-ASSESSMENT

The self-assessment will include:

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

14.3.1.3.2 Additional statements regarding the following areas:

Teaching, including the following two subtopics:

a) Professional expertise (Content and Currency)

b) Pedagogical Approach (for example, organization and presentation of material; teacher/student interaction, etc.)

Service

Scholarship

14.3.2 IMPLEMENTATION OF THE PROCESS

14.3.2.1 DATA ON TEACHING EFFECTIVENESS

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

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

14.3.2.2 NEED FOR ADDITIONAL INFORMATION

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

14.3.3 PREPARATION OF THE ASSESSMENT REPORT

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

14.3.4 RESPONSE TIME

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

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

14.3.5 PROTECTION CLAUSE

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

14.3.6 APPEAL PROCEDURE

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

14.3.7 ASSESSMENT OF FACULTY TEACHING IN TWO DEPARTMENTS

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

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

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

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

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

14.3.8 DEAN'S ROLE AS PRESIDENT'S DESIGNEE

[State Contract Appendix II, Article III]

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

14.3.9 ASSESSMENT OF FACULTY ON LEAVE

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

15. DEPARTMENT CHAIRPERSONS

[State Contract, Article XVIII]

15.1 METHOD OF ELECTION AND APPOINTMENT

[State Contract Article XVIII.A]

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

[State Contract Article XVIII.B]

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

[State Contract Article XVIII.D]

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

15.2 DEVELOPMENT OF CRITERIA FOR SELECTION

[State Contract Article XVIII.A]

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

15.3 COMPOSITION OF SEARCH COMMITTEE

[State Contract Article XVIII. C]

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

15.4 ACTING DEPARTMENT CHAIRPERSONS

[State Contract Article XVIII.E]

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

15.5 LOCAL ELECTION PROCEDURES

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

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

15.6 ELECTION DATE

- 15.6.1 By mutual agreement between the Administration and the faculty/Union, the election of a department chairperson will take place no later than April 30 of the final year of the incumbent's term of office. The name of the elected chairperson will be transmitted to the University Administration.
- 15.6.2 When a department chairperson vacancy occurs for reasons other than the expiration of an incumbent's term, the dean, in consultation with the department and Vice President for Academic Affairs, will determine when to hold the election for a department chairperson to fill out the academic year. Before the close of the academic year, a regular election will be held to fill the three-year term in accordance with established procedures.

15.7 MID-TERM EVALUATION OF DEPARTMENT CHAIRPERSONS

- 15.7.1 At the midpoint of the department chairperson's term, the department PAC chairperson will be notified by the College/School dean that the evaluation of the chairperson is due.
- 15.7.2 The PAC chairperson will initiate a formal departmental faculty vote of confidence to serve as this evaluation. Should a positive vote of confidence occur, the department will recommend to the dean that the chairperson will complete his or her term of office.

- 15.7.3 If a majority vote indicates a desire for change in leadership, the department faculty will submit to the dean, with a copy to the chair, information establishing just and sufficient cause for this action. Within two weeks, the chairperson will meet with the faculty and the dean regarding the no-confidence vote to present his or her response.
- 15.7.4 Following this step, the dean will consult again with the faculty to make a final assessment of the chairperson's status.
- 15.7.5 The dean, having made a determination based upon all available information, will make a recommendation to the VPAA and President as to whether or not the chairperson should complete his or her term of office.
- 15.7.6 When the dean's recommendation differs from the Departmental recommendation, he or she must inform the faculty in the department and the chairperson of the reasons for this recommendation. The process should be initiated by December 1 and completed by March 1 of the same academic year.

15.8 DEPUTY DEPARTMENT CHAIRPERSON

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

16. FACULTY RIGHTS, PRIVILEGES AND RESPONSIBILITIES

16.1 OFFICE HOURS FOR STUDENT CONSULTATION

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

16.2 COMMUNITY ACTIVITIES

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

16.3 FACULTY TRAVEL PROVISIONS

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

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

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

16.4 ORGANIZATIONAL CHART

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

16.5 PUBLIC NOTICES

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

16.6 INTERNAL GOVERNANCE

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

16.7 **PARKING**

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

16.8 **FACULTY AFFILIATION - VOTING RIGHTS**

- 16.8.1 Voting for department chairpersons is limited to full-time faculty members of the University who teach in the department.
- 16.8.2 Persons on sabbatical leave or leave of absence are eligible to vote, as are their full-time replacements.
- 16.8.3 A full-time faculty member may have a teaching assignment in more than one department and/or College/School. If these assignments are on a continuing basis and if the individual is subject to reappointment, tenure, or promotion actions in the department(s) in which he or she is teaching, he or she has the same rights and privileges in the department as a person teaching full-time in the department.
- 16.8.4 If the split assignment is in one College/School, the faculty member will have only one vote in any College/School-wide action. When the split is in more than one College/School, the faculty member will have a vote in each College/School-wide action.

16.9 **SALARY RATE NOTIFICATION**

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

16.10 **EXIT PROCEDURE**

Faculty members who are terminating employment with the University must clear the following items and present a signed check sheet to the Personnel/Payroll Office.

Listed will be receipt for return of:

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

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

16.11 SUMMER SESSION COURSE CANCELLATION NOTIFICATION

(Text of this provision to be decided)

16.12 DEPARTMENTAL PROCEDURES AND POLICIES

16.12.1 Department bylaws will be developed and approved by the department faculty, and, distributed to all members of the department.

16.12.2 Faculty must be provided with written departmental personnel procedures. If departmental procedures are revised, they must be disseminated to all department members before going into effect. These procedures must be submitted to the VPAA designee for review pursuant to Section 1.3.4.2

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

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

16.12.5 Faculty on sabbatical leave or leave of absence must be informed of the availability of released time opportunities, career development programs, grants, etc. at the same time as the communication goes to the faculty on campus. Compliance with Section 16.12.1 through Section 16.12.5 above will be the responsibility of the department chairperson.

16.13 DEFINITION OF SENIORITY

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

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

16.14 **ASSIGNMENT OF NON-TEACHING DUTIES**

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

16.15 **EXTENSIONS OF LEAVES OF ABSENCE WITHOUT PAY**

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

16.16 **OFFICIAL FILES**

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

16.17 **SAFE CONDITIONS**

Article XXX of the State Contract includes the following provisions:

Whenever an employee observes a condition which he or she feels represents a violation of safety or health rules and regulations or which is an unreasonable hazard to persons or property, the employee shall report such observation which will be promptly investigated. Where a hazard exists which endangers the employee, he or she shall not be required to work where that condition exists.

16.18 **FACILITIES COMMITTEE**

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

LETTER OF AGREEMENT

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

College/University President. The College/University and the Local UNION may agree to appoint additional persons from the College/University community to the committee.

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

16.19 JOINT APPOINTMENTS

16.19.1 OCCASIONAL JOINT APPOINTMENTS

The University may make occasional joint appointments in accordance with the *State Contract* and the Local Selected Procedures Agreement. The following guidelines for joint appointments will be in effect for the 2003 – 2007 academic years. In the last year, the Union and the Administration will review and consider modifying the guidelines.

16.19.2 GOVERNANCE OF MASTER CONTRACT AND LSPA

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

16.19.3 ELIGIBILITY FOR JOINT APPOINTMENTS

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

16.19.4 TEACHING LOAD

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

16.19.5 HOME AND PARTICIPATING ACADEMIC UNITS

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

16.19.6 IDENTIFYING DEPARTMENTS AND NON-DEPARTMENTAL UNITS

The Provost will identify departments and non-departmental units which can serve as sites for joint appointments. Before faculty can seek a joint appointment, bargaining unit members involved in a potential home department or participating unit, must prepare and approve procedures by which any required input for faculty holding joint appointments will be collected and shared by the participating unit and used by the home department. Such procedures shall be submitted to the VPAA designee for review pursuant to Section 1.3.4.2 prior to any joint appointment.

16.19.7 CREDENTIALS FOR JOINT APPOINTMENTS

16.19.7.1 Terminal degrees in the two fields located in the two units making the joint appointment.

-OR-

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

16.19.8 STRUCTURE AND PROCEDURES FOR JOINT APPOINTMENTS

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

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

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

16.19.9 HOME DEPARTMENT

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

16.19.10 FSP CREDIT HOURS

FSP credit hours will be allocated in proportion to the joint appointee's load

distribution across the home department and participating unit. Fractions of credit hours will be adjusted by using more than one semester to average out the distribution where necessary.

16.19.11 VOTING AND PARTICIPATORY RIGHTS

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

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

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

16.19.12 WORKLOAD

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

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

16.19.13 DEPARTMENTAL RESPONSIBILITIES

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

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

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

16.19.14 PROCESSING PERSONNEL ACTIONS

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

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

- 16.19.14.2 All observations, evaluations, and personnel actions involving joint appointees must be in accordance with the *State Contract* and this Local Selected Procedure Agreement. Peers providing formal, required input must be members of the bargaining unit.
- 16.19.14.3 Where a joint appointment is held in a unit other than a department, personnel evaluations will be carried out only by tenured faculty holding academic appointments in that unit.
- 16.19.14.4 If no other tenured faculty are available within the participating unit to provide evaluative input to the home department, the participating unit must turn to faculty with comparable credentials to play that role, with VPAA designee approval as is the case when departments have too few eligible members to carry out evaluation functions.
- 16.19.15 INPUT OF PARTICIPATING UNIT
- The participating unit provides input to the home department PAC. The home department weighs this input in proportion to the time devoted to each unit in the years considered for any personnel action.
- 16.19.15.1 When teaching occurs in both the home department and the participating unit, observations of teaching must be conducted by both in accordance with this Local Selected Procedures Agreement and the *State Contract*.
- 16.19.15.2 The home department is responsible for receiving the evaluation materials from the participating unit and for making all recommendation for personnel actions.
- 16.19.16 SETTLEMENT OF COMPLAINTS
- Considering the complex challenges presented by a joint appointment, the associated deans and chairpersons should make their best efforts to encourage prompt settlement of complaints or grievances that may arise between the home department and participating unit, especially in such matters as personnel actions, scheduling and support services.
- 16.19.17 CURRENT FACULTY MEMBERS
- 16.19.17.1 Current faculty members may apply for a joint appointment if they believe they meet the eligibility requirements and desire to participate in both units.
- 16.19.17.2 Joint appointments will be made upon the application of the faculty member, and with the approval of the chair(s), dean(s), director and other University administrators.

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

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

16.19.18 NEW APPOINTMENTS

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

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

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

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

16.19.18.4 If both units are academic departments:

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

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

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

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

16.19.19 **FACULTY RIGHTS IF JOINT APPOINTMENT IS TERMINATED – CURRENT FACULTY AND NEW APPOINTMENTS**

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

16.19.20 **CONFLICT ON REAPPOINTMENT OR TENURE**

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

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

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

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

16.19.21 **TERMINATION OF A JOINT APPOINTMENT**

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

17. **SAVINGS CLAUSE**

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

18. MAINTENANCE OF AGREEMENT

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

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

19. DURATION AND TERMINATION

This Agreement shall remain in full force and effect from July 1, 2003 until June 30, 2007. The Agreement shall automatically be renewed from year to year thereafter, unless either party shall give to the other party written notice of its desire to terminate, modify or amend this Agreement. Such notice shall be given the other party in writing no later than 60 days prior to or succeeding the expiration of the Statewide Agreement, July 1, 2003-June 30, 2007.

The material set forth in *italics* in appendices is not subject to negotiation.

20. APPENDIX I: QUALIFICATION FOR RANK AND EQUIVALENCIES*

**As adopted by the Montclair State University Board of Trustees from the former Board of Higher Education regulations.*

The material set forth in *italics* in appendices is not subject to negotiation.

20.1 QUALIFICATION FOR RANK: FACULTY

The academic attainment level and professional experience requirements for University faculty academic rank are set forth below.

20.1.1 INSTRUCTOR

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

20.1.2 ASSISTANT PROFESSOR

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

For persons hired after January 1, 1986 who do not hold the appropriate terminal degree or its equivalent, no reappointment shall be made to the fourth year unless the Board of Trustees determines that for rare and exceptional reasons reappointment is necessary to support the mission of the University.

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

20.1.3 ASSOCIATE PROFESSOR

An earned doctorate or other appropriate terminal degree from an accredited institution in an appropriate field of study and five (5) years of professional experience. Evidence of excellence in teaching, scholarly achievement and service beyond the level of accomplishment of those holding the assistant professorship.

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

20.1.4 PROFESSOR

An earned doctorate or other appropriate terminal degree from an accredited institution in an appropriate field of study and eight (8) years of professional experience. Evidence of excellence in teaching, scholarly achievement and service beyond the level of accomplishment of those holding the rank of associate professor.

20.1.5 DISTINGUISHED PROFESSOR

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

20.1.6 EQUIVALENCY

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

20.2 LOCAL PROVISIONS FOR ESTABLISHMENT OF EQUIVALENCIES

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

This recommendation is forwarded to the VPAA by the department chairperson.

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

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

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

- 20.2.5 The outside expert is provided with a package which consists of credentials supplied by the candidate, and the official description of qualifications for the rank the person seeks, which is provided by the Administration.
- 20.2.6 The expert is asked to make a recommendation to the University President. Following the receipt of the opinion of the outside expert, the President makes a decision regarding granting of the equivalency and provides the candidate with a written statement of his or her decision.
- 20.2.7 Promotion Priority: The above in no way implies that such affected faculty members will be promoted or reappointed automatically, nor does it place them at the top of any eligibility listing.
- 20.2.8 Eligibility for Tenure Appointment: Faculty members who do not possess an appropriate terminal degree or its equivalent may be offered a reappointment conferring tenure under unusual circumstances when judged by the University's Board of Trustees as being in the best interests of the University.

20.3 QUALIFICATIONS FOR RANK - LIBRARIANS

These data have not been reprinted here. Please refer to Montclair State University Board of Trustees Personnel Policies, June 1995.

20.4 CALENDAR FOR EQUIVALENCY APPLICATIONS

Eligibility for promotion under the equivalency or grandfather clauses should be established prior to consideration of promotion materials at the department level.

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

21. **APPENDIX II: CRITERIA FOR SABBATICAL LEAVES**

The material set forth in *italics* in appendices is not subject to negotiation.

1. Scholarly/artistic level of the project.
2. Projected contribution to the individual as teacher and/or scholar.
3. Projected contribution to the University and/or Department.
4. Years of service at the University since the applicant's last Sabbatical leave.

22. **APPENDIX III: CRITERIA FOR PROFESSIONAL STAFF LEADERSHIP DEVELOPMENT PROGRAM**

The material set forth in *italics* in appendices is not subject to negotiation.

1. *Years of Service*

2. *Advanced Degrees Held*

3. *Contributions to the University Community*

23. **APPENDIX IV: PERFORMANCE-BASED PROMOTIONS: PROFESSIONAL STAFF**

The material set forth in *italics* in appendices is not subject to negotiation.

The University has established the following criteria for selection of successful candidates for performance-based promotion for professional staff. An applicant for a performance-based promotion must meet all of the following criteria:

- 23.1 *Excellent performance in the full range of the individual's professional responsibilities over a significant period of time.*
- 23.2 *Extraordinary and measurable accomplishments/outcomes of a specific nature related to the individual's responsibilities in his/her work unit in support of the achievement of the overall goals of the University.*
- 23.3 *Significant contributions to building an effective work environment that strengthens teamwork, mentors/coaches and supports, colleagues, and achieves a service-oriented approach to the work of the unit and for the University. Applications for performance-based promotions for professional staff shall be evaluated by the applicant's immediate supervisor. The University President shall determine the successful candidates from among the applicants.*

24. APPENDIX V: RANGE CHANGES

The material set forth in *italics* in appendices is not subject to negotiation.

24.1 Merit-Based Criteria for Range Changes

An applicant for a merit-based range adjustment in rank, must meet one of the following criteria.

24.1.1 *The faculty member who has not yet achieved the rank of Full Professor must have demonstrated extraordinary accomplishments applicable to one or more of the criteria set forth in the Faculty Roles and Expectations document in the MSU Faculty Handbook relatively early in her/his time in the current rank and before achieving the full range of experience and accomplishment normally associated with promotion to the next higher rank.*

24.1.2 *Full-time faculty at the rank of assistant or associate professor who have not met the full range of the required criteria for promotion, must have made significant contributions to the University over a long period of time in their current rank that are consistently and demonstrably beyond meeting one’s normal professional obligations and that have positive impact on issues of importance to the University community.*

24.1.3 *The faculty member who has achieved the rank of Full Professor must have demonstrated extraordinary accomplishments applicable to one or more of the criteria set forth in the Faculty Roles and Expectations document in the MSU Faculty Handbook during the period following promotion to Professor or a range adjustment within the rank of Professor.*

24.2 Retroactivity

	Application Date	Accomplishments As Of	Effective Date
Round 1	April 1, 2002	April, 2000	September 1, 2000*
Round 2	October 1, 2002	April, 2001	September 1, 2001**
Round 3	January 15, 2003	April, 2002	September 1, 2002***

For each successful candidate applying for a retroactive range adjustment, the University will adjust the individual's salary and pension as follows:

* Except for 12-month faculty whose effective date shall be July 1, 2000
 ** Except for 12-month faculty whose effective date shall be July 1, 2001
 *** Except for 12-month faculty whose effective date shall be July 1, 2002

- 24.2.1.1 To provide the difference between the individual's actual pay during the period back to the approved date of retroactivity and the salary that would have been paid had the range adjustment been in effect as of the approved date of retroactivity;
- 24.2.1.2 To add to the successful candidate's pension account the pension contributions which would have been made by the University during the period back to the approved date of retroactivity.
- 24.2.1.3 Successful candidates applying for a retroactive range adjustment shall have their increment clocks reset as per the approved retroactive date and range adjustment and will receive full increment adjustments in their new range as if they had received the range adjustment on the approved retroactive date itself. Procedures for crediting pay periods for increments in the new ranges will be consistent with Article XXI of the 2003-2007 Statewide Agreement.

25. LOCAL LETTER OF AGREEMENT I - FACULTY RETRAINING PROGRAM

25.1 PREAMBLE

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

25.2 PART-TIME OPTION

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

Interested faculty will complete an application form available from the Associate Vice President for Academic Affairs, who will administer the program. In the application, the applicant will identify courses he or she is interested in teaching, describe prior training and experience and outline a plan for implementing and completing the retraining. Departments through which these courses are offered ("host departments") will review the applications and credentials and recommend faculty to take part in the retraining program. Faculty applicants will not be required to present qualifications in excess of those required for adjunct instructors in the high demand areas. Alternate qualifications may be considered in some cases. The chairperson of the applicant's home department and the deans of both affected schools/colleges will also review the applications. The deans and chairpersons must concur prior to submission of the proposal to the VPAA for approval or rejection.

Retraining will involve: a) audit of specific Montclair State University courses and b) special intensive workshops conducted by the host department during the summer following the audit experience to train participating faculty and prepare them for classes they will teach in the succeeding academic year. In addition to provision of faculty for leadership of the retraining workshops, the host department will identify a faculty member to work with those participating in the

retraining program to provide assistance during the first semester of teaching, to suggest instructional strategies and to recommend ideas for further professional development. Departments will evaluate instructional performance periodically in accordance with their usual procedures and determine if all parties agree to continue the process.

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

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

25.3 TRANSFER OPTION

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

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

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

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

26.

LOCAL LETTER OF AGREEMENT II - WORKPLACE COMMITTEE

In accord with *Letter of Agreement I in the 2003-2007 Agreement between the State of New Jersey and the Council of New Jersey State College/University Locals, AFT, AFL-CIO*, a Workplace Committee will be established.

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

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

27.

LOCAL LETTER OF AGREEMENT III-REVIEW OF SUMMARY DATA

In each year of this agreement, the Vice President for Human Resources will meet with three designees of the Local for the purpose of reviewing aggregate data which describes the applicants for promotion for that year. Such data will include the names of successful applicants, the number of total applicants by department and College/School by rank sought and race and gender. The meeting will be scheduled on or about March 1st of each year.