
Faculty Handbook



Disclaimer

I. INTRODUCTION

The Michigan State University Faculty Handbook contains University policies, procedures, and other information in effect as of the date of issuance (see date at the bottom of each Faculty Handbook page). Any subsequent changes in policies, procedures, or other information are effective as of the date of action or issuance by the appropriate University body even though such changes have not been distributed as revisions or additions to the Michigan State University Faculty Handbook. Revisions of, or additions to, the Faculty Handbook will be issued regularly (usually annually) to deans, chairpersons, and directors. In the interim, every effort will be made to communicate revisions and additions to deans, directors, and chairpersons for communication to faculty and academic staff members.

Services & Opportunities

I. INTRODUCTION

Listed below are some of the services and opportunities which are widely used by faculty and academic staff.

| Service/Opportunity | University Office | Telephone ¹ |
|-------------------------------------|---|--|
| Emergencies | Department of Police and Public Safety | 911 or 355-2221 |
| Art | Eli & Edythe Broad Art Museum | 884-4800 |
| Benefits | Human Resources | 353-4434 |
| Bookstore | MSU Bookstore | 355-3450 |
| Chapel | Alumni Memorial Chapel | 355-3464 |
| Child Care | Spartan Child Development Center | 353-5154 |
| | Child Development Lab - East Lansing | 355-1900 |
| | Child Development Lab - Haslett | 339-6045 |
| Computer Services | Academic Information Technology | 432-6200 |
| Credit Union | MSU Federal Credit Union | 333-2424 |
| Dining On-Campus | International Center | 355-4550 |
| | Kellogg Center | 432-4000 |
| | Union | 355-3492 |
| | Owen Graduate Center | 355-5007 |
| | On-Campus Dining Halls (Akers, Brody, Case, Holden, Holmes, Landon, Shaw, Snyder Phillips and Wilson) | 884-0660 |
| Disability Accommodations /Services | Resource Center for Persons with Disabilities | 353-9642 |
| MSU Community Club | MSU Community Club | MSU Operator |
| Gardens | Beal Botanical Garden | 355-9582 |
| | Hidden Lake Gardens | 431-2060 |
| | Kellogg Biological Station | 269-671-5117 |
| | MSU Horticultural Gardens | 355-5191 |
| Grievance | Faculty Grievance and Dispute Resolution Office | 353-8884 |
| Health Care | Clinical Center | 353-3000 |
| Hotel Services | Kellogg Center | 432-4000 |
| Housing On-Campus | Live ON (Spartan Village, Owen Hall and Kellogg Hotel) | 884-5483 |
| Housing Off-Campus | MSU Off Campus Listing Service | 877-895-1234 offcampushousing. msu.edu |
| Library Services | Library | 353-8700 |
| Lost and Found | Union Building | 355-3497 |
| Media Services | ITS Help Desk | 432-6200 |

| | | |
|----------------------------|---|----------|
| Minority Organizations | Office of Inclusion and Intercultural Initiatives | 353-4563 |
| Museum | Museum | 355-2370 |
| Music | College of Music | 353-5340 |
| News Outlets | MSU Today (online) | 432-0922 |
| | State News | 355-3447 |
| Parking - Vehicle, Bicycle | Department of Police and Parking Office | 355-8440 |
| Payroll | Payroll Office | 355-5010 |
| Performing Arts | Wharton Center | 432-2000 |
| Personal Assistance | Employee Assist. Prgms | 355-4506 |
| Planetarium | Abrams Planetarium | 355-4672 |
| Printing Services | MSU Printing Services | 355-6610 |
| Psychological Clinic | Psychological Clinic | 355-9564 |
| Publishing Services | MSU Press | 355-9543 |
| Radio | WKAR AM and FM Radio | 884-4700 |
| Recreation and Sports | Athletic Ticket Office | 355-1610 |
| | Forest Akers Golf Crs | 355-1635 |
| | Recreational Sports and Fitness Services (IM East, West and Circle) | 355-5250 |
| | Union Building-Spartan Lanes | 355-3357 |
| Research Services | Research Development | 355-0306 |
| Animal Care | Laboratory Animal Care Service | 353-5064 |
| Safety | Radiation, Chem., Biological | 355-0153 |
| Television | WKAR TV | 884-4700 |
| Transportation | Transportation Services | 353-5280 |
| University Club | University Club | 353-5111 |
| University Relations | University Communications | 355-7505 |
| Women's Organizations | Women's Resource Center | 353-1635 |

Mission Statement

Last updated: 4/18/2008

I. INTRODUCTION

The following statement was approved by the Board of Trustees on April 18, 2008.

Michigan State University, a member of the Association of American Universities and one of the top 100 research universities in the world, was founded in 1855. We are an inclusive, academic community known for our traditionally strong academic disciplines and professional programs, and our liberal arts foundation. Our cross- and interdisciplinary enterprises connect the sciences, humanities, and professions in practical, sustainable, and innovative ways to address society's rapidly changing needs.

As a public, research-intensive, land-grant university funded in part by the state of Michigan, our mission is to advance knowledge and transform lives by:

- providing outstanding undergraduate, graduate, and professional education to promising, qualified students in order to prepare them to contribute fully to society as globally engaged citizen leaders
- conducting research of the highest caliber that seeks to answer questions and create solutions in order to expand human understanding and make a positive difference, both locally and globally
- advancing outreach, engagement, and economic development activities that are innovative, research-driven, and lead to a better quality of life for individuals and communities, at home and around the world

Board of Trustees

II. ORGANIZATION

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

Generally, the Board meets monthly, except as otherwise scheduled by the Board. In accordance with Michigan law, the Board establishes an annual calendar for its regular meetings; meetings are open to the public except for limited closed sessions. Items requiring Board action should be submitted to the Provost's office about three weeks before each Board meeting.

In addition to the President the following University officers are present at Board meetings: Provost, Vice President for Finance and Operations and Treasurer, Vice President for Research and Graduate Studies, Vice President for Student Affairs and Services, Vice President for University Development, Vice President for Governmental Affairs, General Counsel and Vice President for Legal Affairs, Vice President for University Relations, Secretary of the Board and Executive Assistant to the President, Executive Director of the MSU Alumni Association, and Senior Advisor to the President for Diversity and Director, Office of Inclusion and Intercultural Initiatives. Five faculty members and four students selected by their respective constituencies also attend Board meetings.

Academic Governance

II. ORGANIZATION

The following summary information is from the Bylaws for Academic Governance¹; the Bylaws were approved by the Board of Trustees on April 15, 2016.

Footnote:

¹ The Secretary for Academic Governance is secretary to the Academic Congress, the University Council, the Faculty Senate and The Steering Committee. The Office of the Secretary provides staff support to the University Council, Faculty Senate and the Steering Committee, supervises elections for Academic Governance and its committees, and provides assistance to colleges and departments in the preparation and interpretation of unit bylaws for academic governance. The Office of the Secretary is located in Room W32 Owen Hall (355-2337).

Preamble

II. ORGANIZATION

Under its bylaws and Michigan's Constitution, the Board of Trustees has the responsibility to develop a free and distinguished university and to promote the welfare of mankind through teaching, research and public service. The Board of Trustees exercises final authority and responsibility for University governance within the bounds fixed by the State Constitution.

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

The Board also has declared its intention to give due consideration to the opinions of students on matters directly related to their interest.

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

The Faculty

II. ORGANIZATION

The faculty of the University is defined in the Bylaws of Academic Governance section 1.1.1 as follows:

The "regular faculty" shall consist of all persons appointed under the rules of tenure and holding the rank of professor, associate professor or assistant professor and all persons appointed as librarians.

The "fixed term faculty" shall consist of all persons holding the rank of professor, associate professor, assistant professor, or instructor, but not appointed under the rules of tenure.

The "Health professions faculty" shall consist of all faculty appointed in the Health Programs Faculty Appointment System who hold the rank of professor, associate professor, or assistant professor in the Colleges of Human Medicine, Nursing, Osteopathic Medicine, or Veterinary Medicine.

The "Facility for Rare Isotope Beams/National Superconducting Cyclotron Laboratory (FRIB/NSCL) faculty" shall consist of all faculty appointed in the FRIB/NSCL Faculty Appointment System holding the rank of professor, associate professor, or assistant professor.

The "honorary faculty" shall consist of visiting professors and professors emeritus.

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

Student Participation in Academic Governance

II. ORGANIZATION

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

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

Academic Congress

II. ORGANIZATION

The voting membership of the Academic Congress is composed of the regular faculty, health professions faculty, Facility for Rare Isotope Beams/National Superconducting Cyclotron faculty, full-time fixed term faculty who have served at least three consecutive years, and the president and the provost. Honorary faculty (visiting professors and emeriti professors) are members with voice but without vote.

The Academic Congress serves as a forum for dissemination and exchange of ideas and information between the faculty and the administration. The Academic Congress meets by call of the president or by majority vote of the faculty members of the Steering Committee. The Academic Congress must be called into session to consider specific referred items upon petition by at least 20% of the voting members of Academic Congress, or by at least 50% plus one of the University Council or Faculty Senate, or by at least 50% plus one of the voting members at an official meeting of the Academic Congress at which a quorum is present. The agenda for Academic Congress meetings is prepared by the faculty members of the Steering Committee in consultation with the president and the provost.

Academic Council

II. ORGANIZATION

The University Council is composed of the members of Faculty Senate, selected pursuant to section 3.3.1. of the Bylaws for Academic Governance, the Appointed Council, all faculty serving as Chairpersons of College Advisory Committees, the Chairperson of the Athletic Council, members of the Associated Students of Michigan State University (ASMSU) selected pursuant to section 3.2.3.1., members of the Council of Graduate Students (COGS) selected pursuant to section 3.2.3.2., Chairpersons of University-level Standing Committees, The Steering Committee, the President, the Provost, and designated ex officio members in 3.2.1.2.

The functions of the University Council are to consider and act upon all matters brought before the group by the Steering Committee, the president, and the provost, and to provide a forum for the dissemination of information and exchange of views regarding University policy. Consultation upon matters related to the general welfare of the University is provided by the University Council. The president, or in the president's absence, the provost, presides at meetings of the University Council. The Secretary for Academic Governance is the secretary of the University Council. The University Council must meet at least once each month during the academic year and more often at the call of the president or Steering Committee. The agenda is prepared by the Steering Committee, in consultation with the president or the provost.

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

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

Equal Opportunity and Non-Discrimination

Last updated: 10/28/1977

The following policy was approved by the Board of Trustees in 1935 and amended on October 28, 1977.

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

In carrying out this commitment, the University is guided by the policies adopted by the Board of Trustees and by federal and state laws and regulations that may apply to the University. These may include:

- Titles VI and VII of the Civil Rights Act of 1964 prohibiting discrimination in the provision of services and employment on the basis of race, color, religion, national origin or gender.
- Title IX of the Education Amendments of 1972 prohibiting discrimination against students and employees on the basis of gender.
- Age Discrimination Act of 1975 prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance.
- Age Discrimination in Employment Act of 1967 prohibiting discrimination in employment on the basis of age.
- Equal Pay Act of 1963 prohibiting discrimination in salaries on the basis of gender.
- Title VIII of the Public Health Service Act prohibiting discrimination in the admission of students in health personnel training programs on the basis of gender.
- Sections 503 and 504 of the Rehabilitation Act of 1973 prohibiting discrimination on the basis of disability in any program or activity receiving federal financial assistance and requiring the facilitation of the employment of individuals with disabilities.
- Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 requiring affirmative action in the employment of disabled and Vietnam-era veterans.
- Retirement Equity Act of 1984 requiring pension equity.
- Michigan Elliott-Larsen Civil Rights Act prohibiting discrimination on the basis of age, sex, height, weight, religion, race, color, national origin, familial status, or marital status.
- Michigan Persons with Disabilities Civil Rights Act prohibiting discrimination against persons with disabilities and prohibiting discrimination based on genetic information that is unrelated to individual's ability to perform the duties of a particular job or position.
- Americans with Disabilities Act of 1990 prohibiting discrimination against individuals with disabilities.

The responsibility for overall coordination, monitoring and information dissemination about the University's program of equal opportunity and affirmative action is assigned to the Office of Inclusion and Intercultural Initiatives (I3) (telephone 353-4563). The Office of Institutional Equity (OIE) is responsible for the University's compliance with federal and state laws and University policies and procedures regarding discrimination, harassment, relationship violence, stalking, and sexual misconduct (telephone 353-3922).

Anti-Discrimination Policy

Last updated: 10/30/2015

III. UNIVERSITY POLICIES (Cont.)

The following policy was approved by the Board of Trustees on April 9, 1993 and revised on December 5, 2003, April 13, 2007, and October 30, 2015.

Article I. Purpose

Michigan State University's scholarly community-building efforts occur within the context of general societal expectations, as embodied in the law. The University, consistent with its policies and governing law, promotes institutional diversity and pluralism through mechanisms such as affirmative action, within an over-arching strategy promoting equitable access to opportunity. The University's commitment to non-discrimination is the foundation for such efforts.

Article II. Applicability

This policy states expectations for institutional and individual conduct. It applies to all University community members, including faculty, staff, students, registered student organizations, student governing bodies, and the University's administrative units, and to the University's contractors in the execution of their University contracts or engagements,¹ with respect to the following:

1. All educational, employment, cultural, and social activities occurring on the University campus;
2. University-sponsored programs occurring off-campus, including but not limited to cooperative extension, intercollegiate athletics, lifelong education, and any regularly scheduled classes;
3. University housing; and
4. Programs and activities sponsored by student governing bodies, including their constituent groups, and by registered student organizations.

Article III. Prohibited Discrimination

Unlawful acts of discrimination or harassment are prohibited.

In addition, the University community holds itself to certain standards of conduct more stringent than those mandated by law. Thus, even if not illegal, acts are prohibited under this policy if they²:

1. Discriminate against any University community member(s) through inappropriate limitation³ of employment opportunity⁴, access to University residential facilities, or participation in educational, athletic, social, cultural, or other University activities on the basis of age, color, gender, gender identity⁵, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight; or
2. Harass any University community member(s) on the basis of age, color, gender, gender identity, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight.

These prohibitions are not intended to abridge University community members' rights of free expression or other civil rights.

Article IV. Informal Resolution

Informal resolution of disputes, through consultation provided by offices serving the University, is encouraged.⁶ Informal resolution is typically used when a claimant asks to participate in an informal resolution, requests anonymity, does not consent to participation in an investigation, or the alleged conduct, even if it does not rise to the level of a policy violation, suggests the need for remedial, educational, or preventive action. Participation in informal resolution is voluntary, and either party may terminate the informal resolution process at any time. If a party terminates attempts at informal resolution, or the parties are unable to resolve the matter informally, a formal review of the complaint will begin.⁷

Article V. Complaints and Investigations

Complaints under this Policy are processed and investigated by the Office of Institutional Equity (OIE) pursuant to the OIE Complaint Procedures. Allegations involving gender discrimination, including sexual and gender-based harassment, assault, and violence, are processed and investigated pursuant to the Relationship Violence & Sexual Misconduct (RVSM) Policy.

CONTACT INFORMATION:

Office of Institutional Equity
Olds Hall
408 W. Circle, Room 4
Michigan State University
East Lansing, MI 48824
(517) 353-3922
oie@msu.edu
www.oie.msu.edu

The University investigates complaints involving conduct occurring at the locations, programs, and activities listed in Article II above. The University also investigates complaints of conduct occurring off-campus, even if not occurring in the context of a University program or activity, if the alleged conduct creates or contributes to a hostile environment on campus.

Article VI. Violations of the Policy

Violations of the policy may result in disciplinary action pursuant to the applicable student conduct or employee disciplinary process. Discipline may include, but is not limited to, suspension or dismissal for students or employees.

Article VII. History

This Policy was approved by the Board of Trustee on April 9, 1993 and revised on December 5, 2003, April 13, 2007, and October 30, 2015.

This document is currently pending approval from the U.S. Department of Education, Office for Civil Rights.

Footnotes:

¹ This policy does not apply to the conduct of a contractor's internal affairs, nor does it apply to the conduct of contractual engagements to which the University is not a party.

² The Anti-Discrimination Policy Users' Manual, University ordinances, and written policies provide guidance on the conduct prohibited by Article III of this Policy.

³ Limitations are inappropriate if they are not directly related to a legitimate University purpose. The Anti-Discrimination Policy Users' Manual provides additional guidance on inappropriate limitation as defined by this Policy.

⁴ For purposes of this policy, "employment opportunity" is defined as job access and placement, retention, promotion, professional development, and salary.

⁵ For the purposes of this Policy, the reference to "gender identity" shall be interpreted to include protection against gender stereotyping based on a person's gender expression. In other words, gender stereotyping is impermissible discrimination or harassment based on a failure to conform to stereotypical gender norms.

⁶ Consultation with one or more of the following may be useful:

- the chairperson, director, or dean of the relevant unit,
- supervisory support personnel,
- the Title IX Coordinator or Deputy Title IX Coordinator for Investigations,
- the ADA Coordinator,
- the Office for Inclusion and Intercultural Initiatives
- the Ombudsperson,
- the Faculty Grievance Official,
- REHS staff,
- faculty or staff academic advisors, and
- the MSU Counseling Center.

⁷ The availability and appropriateness of information resolution involving claims of gender discrimination, including sexual and gender-based harassment, assault, and violence, is governed by the Relationship Violence & Sexual Misconduct (RVSM) Policy.

Disability & Veteran Self-Identification

III. UNIVERSITY POLICIES (*Cont.*)

All applicants and hires to university positions are invited to self-identify regarding veteran and disability status pre-offer and post-offer, in accordance with federal record keeping requirements. In addition, every three years faculty and academic staff are invited to self-identify regarding veteran and disability status by participating in a university-wide survey. Participation in the survey is voluntary and allows all faculty and academic staff to update their veteran and/or disability status. Under state and federal laws, qualified individuals with a disability have the right to request and receive reasonable accommodation.

Surveys are conducted by the Offices of Faculty and Academic Staff Affairs and Human Resources. The data is used to evaluate MSU's efforts in providing equal access, promotional and equal employment opportunity to individuals in these groups.

Academic Freedom

III. UNIVERSITY POLICIES (*Cont.*)

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

Teachers¹ are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.²

Footnotes:

¹The word "teacher" as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.

²"1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments," AAUP Policy Documents and Reports, 1995.

Consensual Amorous or Sexual Relationships with Students

Last updated: June 21, 2019

III. UNIVERSITY POLICIES (*Cont.*)

CONSENSUAL AMOROUS OR SEXUAL RELATIONSHIPS WITH STUDENTS

This policy was approved by the Board of Trustees on June 21, 2019

I. Introduction

Michigan State University's mission includes providing outstanding undergraduate, graduate, and professional education to promising, qualified students in order to prepare them to contribute fully to society as globally engaged citizen leaders. The student, as a member of the academic community, has both rights and duties. Within that community, the student's most essential right is the right to learn. The University has a duty to provide for the student those privileges, opportunities, and protections which best promote the learning process in all its aspects.^[1]

The relationship between an instructor^[2] and a student plays an important role in accomplishing this mission. Certain responsibilities bestowed upon instructors have long been codified in the *Faculty Rights and Responsibilities* policy:

The teacher has the responsibility to encourage the pursuit of learning by students by manifesting the best academic standards of the discipline or profession. To accord students respect as individuals, the teacher shall seek to establish a relationship of mutual trust and to establish an appropriate role as an intellectual guide, counselor and mentor, both in and out of the classroom.

The establishment and maintenance of the proper relationship between instructor and student are fundamental to the University's function, and require both the instructor and student to recognize the rights and responsibilities which derive from it. The relationship between instructor and student as individuals should be founded on mutual respect, trust and understanding, together with shared dedication to the educational process.^[3]

Instructors carry a responsibility to students, colleagues, the scholarly community, and the public to perform their duties in a professional, respectful, and collegial manner^[4], and must do so with a commitment to honoring the highest ethical standards. They are regarded as guardians of the University, charged with preserving in it the privilege of teaching students which society has entrusted to their care.

To achieve and maintain an environment in which a student's rights can be fully realized requires an academic community that values and honors the principles of inclusivity, civility, respect, and professionalism. The University is committed to creating a safe learning environment free of conflicts of interest in achieving its educational mission.

It is therefore recognized by Michigan State University that consensual amorous and sexual relationships between instructors and students are counterintuitive to these rights and responsibilities, to the environment desired, and in upholding the mission of the University. Such personal relations undermine the integrity of the instructor and student relationship. There is an inherent power differential between instructors and students making consensual amorous and sexual relationships between instructors and students fundamentally unequal.

II. Purpose

The purpose of this policy is to ensure that Michigan State University's learning environment reflects our moral and ethical responsibility to manage the power differential that exists when there are consensual amorous and sexual relationships between instructors and students.

III. Applicability

This Policy applies to faculty, academic staff, and graduate teaching assistants.

IV. Definitions

A. Consensual amorous or sexual relationships: Relationships of a romantic, dating, and/or sexual nature entered into with consent of both parties. These relationships may or may not involve physical contact, and can include digital relationships via text, social media, etc. This definition also covers past relationships.

B. Educational responsibility: The power or authority to evaluate, influence, provide, or control aspects related to a student's education or professional development. Covered activities include, but are not limited to, teaching, grading, mentoring, advising, evaluating research or other academic activity, serving on a student's dissertation committee, participating in decisions or recommendations regarding funding or other resources, clinical supervision, and recommending for admissions, employment fellowships, or awards.

V. Policy

A. Undergraduate Students

An amorous or sexual relationship between an undergraduate student and a faculty member, academic staff member, or a graduate teaching assistant may impair or undermine the ongoing trust needed for effective teaching, learning and professional development. Because of the faculty or academic staff member's authority or power over the student, inherently conflicting interests and perceptions of unfair advantage arise when a faculty, academic staff member, or graduate teaching assistant assumes or maintains educational responsibility for a student with whom the faculty or academic staff member has or is engaged in amorous or sexual relations.

Such consensual amorous or sexual relationships, even absent any educational responsibility, may lead to unanticipated conflicts of interest since an instructor's influence and power may extend beyond the classroom or department. Due to the institutional power differential in instructor and undergraduate student relationships, there is the inherent risk of coercion and the perception by others of exploitation.

It is, therefore, the policy of Michigan State University that any amorous or sexual relationships between an undergraduate student enrolled at the University and a faculty member, academic staff member, or graduate teaching assistant is prohibited, as follows:

1. For faculty and academic staff members, this prohibition covers all relationships, regardless of whether the faculty or academic staff member has educational responsibility over the undergraduate student. Where relationships predate the enrollment of the undergraduate student at Michigan State University, the faculty or academic staff member must immediately disclose the amorous or sexual relationship to the relevant unit administrator. The unit administrator shall promptly consult with the dean/director and the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs, who will review the circumstances surrounding each relationship on a case-by-case basis. If permitted, a management plan will be developed. This plan must be evaluated annually between the unit administrator and the faculty or academic staff member.
2. For graduate teaching assistants, this prohibition only applies with respect to undergraduate students over whom they have educational responsibility. Thus, graduate teaching assistants must not begin a

relationship with undergraduate students for whom they have educational responsibility. When such amorous or sexual relationships predate the assumption of educational responsibility for the undergraduate student, the graduate teaching assistant shall immediately disclose the amorous or sexual relationship to the relevant unit administrator, who shall promptly arrange other oversight for the student.

B. Graduate Students and Graduate Professional Students (hereafter referred to collectively as graduate students)

A power differential also exists in relationships between a graduate student and a faculty or academic staff member.

It is therefore the policy that faculty and academic staff are prohibited from engaging in a consensual amorous or sexual relationship with a graduate student over whom there is educational responsibility.

Where the relationship predates the faculty or academic staff member's assumption of educational responsibility for the graduate student, the faculty or academic staff member shall immediately disclose the amorous or sexual relationship to the relevant unit administrator. The relevant unit administrator, in consultation with the dean and Faculty and Academic Staff Affairs, shall promptly arrange other oversight for the student. This oversight plan must be evaluated annually between the unit administrator and the faculty or academic staff member.

C. Lifelong students and other learners

The University provides education to lifelong students and others who are not classified as undergraduate, graduate, or graduate professional students.

It is, therefore, the policy of Michigan State University that a faculty, academic staff member, or graduate teaching assistant who currently has educational responsibility for a lifelong student or other non-undergraduate or non-graduate student at the University may not begin a relationship with that student when they have educational responsibilities over the student.

A faculty, academic staff member or graduate teaching assistant shall immediately disclose the amorous or sexual relationship to the relevant unit administrator where the relationship predates their assistant's assumption of educational responsibility for the student. The relevant unit administrator shall promptly arrange other oversight for the student in consultation with the dean and Faculty and Academic Staff Affairs. Such oversight is to be evaluated annually.

D. Post-Doctoral Fellows (i.e. Research Associates)

Consensual amorous or sexual relationships between faculty and academic staff and post-doctoral fellows (i.e. research associates) over whom there is educational responsibility are prohibited. Where such a relationship predates the assumption of educational responsibility, the faculty or academic staff member shall immediately disclose the relationship with the relevant unit administrator, who shall develop an oversight plan in consultation with the dean and Faculty and Academic Staff Affairs, to be evaluated annually.

VI. Exceptions to this Policy

No exceptions will be made in circumstances where the instructor has educational oversight for the student. In other words, an instructor may not, under any circumstances, be in a relationship with a student for whom they have educational responsibility. However, the University recognizes that rare, unique, and/or unusual circumstances may warrant evaluation of an exception to the prohibition of undergraduate student

relationships with a faculty or academic staff member (e.g., a faculty member's spouse/partner enrolls as an undergraduate student). It is the responsibility of the faculty or academic staff member to initiate an exception request as soon as possible. These requests will be evaluated by the unit administrator, in consultation with the dean and the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs, on a case-by-case basis. Any exceptions granted must be evaluated annually.

VII. Implementation of Policy

This policy was implemented on June 21, 2019. Existing relationships that are now prohibited under this policy (i.e., undergraduate student and faculty and academic staff member relationships) and relationships subject to the new disclosure requirements of this policy must be disclosed to the relevant unit administrator within thirty (30) days of the effective date of this policy. The unit administrator shall promptly consult with the dean/director and the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs, who will review the circumstances surrounding each relationship on a case-by-case basis. If permitted, a management plan will be developed.

VIII. Record-Keeping

The unit administrator (e.g. department chairperson, school director, dean of a non-departmentally organized college) must retain records related to the disclosed conflict, management plans, and alternative arrangements made for educational oversight for the student. Documents must be maintained according to University retention policies.

IX. Violations

Failure to comply with this policy will be considered a violation of policy and is subject to appropriate disciplinary action up to and including termination.

X. Relation to Other Policies

This policy is not intended to replace or circumvent other established University policies such as the [Conflict of Interest in Employment Policy](#) and the [Relationship Violence and Sexual Misconduct Policy](#).

[1] Adapted from Article 1 of the Spartan Life Student Handbook.

[2] The term, "instructor," as used in this document, applies to faculty, academic staff, and graduate teaching assistants who have educational responsibilities for students.

[3] Adapted from Article 2 of the Spartan Life Student Handbook.

[4] These responsibilities are fully articulated in the *Faculty Rights and Responsibilities* policy: https://hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/faculty_rights.htm

Conflict of Interest in Employment

Last updated: 12/8/1995

III. UNIVERSITY POLICIES (Cont.)

The following policy was approved by the Board of Trustees on December 8, 1995 as a replacement for the Employment of Relatives policy.

Standards for hiring, promotion, reappointment, evaluation, working conditions, responsibilities, salary and termination for all employees at Michigan State University are based on ability, qualifications for the position, and performance. Relationship (meaning connection between persons, hereinafter referred to as "relatives," by blood, marriage, adoption, domestic partnership, or other personal relationship in which objectivity might be impaired) to another individual employed by the University shall not constitute a bar to hiring, promotion or reappointment; provided, however, that no employee shall be under the direct supervision or control of a "relative." Employment of "relatives" in the same unit or department or under the same supervisor is authorized only with the prior written approval of the head of the unit or department and the Office of the Provost or the Office of Human Resource Services, as appropriate. In addition, "relatives" should not participate in roles which have the potential for influencing employment decisions, e.g., peer review.

General Principles:

1. To avoid possible conflicts of interest, any dean, director, chairperson/supervisor or participant in peer or administrative review procedures who is a "relative" of an employee or job applicant must not participate either formally or informally in decisions (including rendering advice on decisions) on personnel matters affecting the "relative," including, but not limited to, decisions to hire, retain, promote or determine the salary.
2. In cases where a chairperson/supervisor has primary responsibility for evaluation or for assignment of duties (e.g., a department chairperson's supervision of faculty in the department), no employee may supervise a "relative." An appropriate individual must be designated by a higher level of administrator (e.g., dean, director, provost, vice president, president) to perform the functions of chairperson /supervisor in decisions to hire, retain, promote, assign duties or set the salary of the individual "related" to the chairperson/supervisor.
3. Within the limitations set forth above, individuals "related" to other MSU employees have all general rights extended to employees in comparable positions. For example, a faculty member has the right to serve on a departmental peer review committee even though a "relative" will be considered by the committee; the faculty member, however, would not participate in the review of the "relative."
4. Supervision and evaluation procedures, even when altered, should ensure comparable treatment of employees.
5. In circumstances which have the potential for the conflicts of interest referenced in item #1, above, individuals have the responsibility for disclosing that a conflict of interest may exist to the department chairperson, school director, dean or other relevant administrator or supervisor; the specifics of the potential conflict do not have to be provided.

Decisions about individual cases should be made on the basis of these principles. In cases where the application of a principle is disputed, the administrator/supervisor at the next level may be asked to assist in resolution. The Office of the Provost/Office of the Vice President for Finance and Operations has final approval regarding application of the general principles to particular cases.

Drugs and Alcohol

Last updated: 10/12/1990

III. UNIVERSITY POLICIES (Cont.)

The following policy was approved by the Board of Trustees on October 12, 1990.

Consistent with state and federal law, Michigan State University will maintain a workplace free from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance.¹ The unlawful manufacture, distribution, dispensation, possession or use of controlled substances, illicit drugs and alcohol are prohibited on any property under the control of and governed by the Board of Trustees of Michigan State University, and at any site where work is performed by individuals on behalf of Michigan State University.

Pursuant to applicable University procedures governing employee discipline, any employee involved in the unlawful use, sale, manufacturing, dispensing or possession of controlled substances, illicit drugs and alcohol on University premises or work sites, or working under the influence of such substances, will be subject to disciplinary action up to and including dismissal and referral for prosecution.

The employee must notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction. Failure to provide such notice will subject the employee to discipline up to and including dismissal pursuant to applicable University procedures governing employee discipline. The employee shall notify his/her immediate supervisor, who will report the incident to the Office of Human Resources, Faculty and Academic Staff Affairs or Student Employment Office.

Michigan State University supports and sponsors programs aimed at the prevention of substance abuse by University employees. The Employee Assistance Program provides preventative programs and counseling for employees experiencing substance-dependency problems. Assistance is available on a voluntary basis. Leaves of absence to obtain treatment may be obtained under the medical leave provision of the appropriate labor contract or policy.

Footnote:

¹ Five schedules of controlled substances are defined in the comprehensive Drug Abuse Prevention and Control Act of 1970, 21. U.S.C. 812.

Endorsements, Sponsorship, and Advertising

Last updated: 4/11/1997

III. UNIVERSITY POLICIES (Cont.)

The following policy was approved by the Board of Trustees on April 11, 1997.

As a publicly supported institution of higher education, Michigan State University must be operated in the public trust. Each unit of the University and every University employee is responsible for protecting the integrity of the name of the University.

The University recognizes that many of its activities provide potential sources of revenue through legitimate and worthwhile opportunities for sponsorship, advertising and promotion of entities and their products and services. While this revenue can be beneficial to the University community and in turn to the State of Michigan, the University's reputation and image are paramount and must be protected.

Endorsements

No official University publication or statement and no activity carried out in the name of the University, or by any individual officially acting on behalf of the University, shall constitute or be construed as a University endorsement of any commercial product or service. Further, sponsorship and advertising consistent with this policy are not intended and shall not be deemed to constitute the University's endorsement of related commercial products or services.

Sponsorship, Advertising

The University may extend the following donor and sponsorship acknowledgment, advertising and promotion opportunities to non-University entities:

1. Sports, Performing Arts and Similar Activities. Sponsorship recognition and advertising on programs, tickets, uniforms, equipment, banners, or other media or fixed or electronic recognition panels used in conjunction with University sports, performing arts and similar activities which may be attended by the public on a complimentary or fee basis.
2. Public Broadcasting. Sponsorship recognition and advertising on public broadcasting programs in accordance with applicable federal public broadcasting regulations.
3. Other Academic Functions
 - Acknowledgment by the University of donors who provide substantial resources which make structures, facilities or programs possible, provided that acknowledgment through naming opportunities shall be subject to the University's policy on naming gifts.
 - Acknowledgment of gifts and grants where such recognition is limited to information necessary to identify the donor and the nature or purpose of the gift.
 - Acknowledgment of the cost underwriting of conference and other academic programs by a commercial donor, provided that such donor acknowledgment is limited to an appropriately modest statement of identification.

Administration

The Office of the Secretary of the Board of Trustees is responsible for the implementation of this policy. Requests for interpretations of the policy shall be referred to that Office. Prior approval of the Board of Trustees shall be required to erect permanent and substantial structures for purposes of commercial recognition. Those responsible for any activity subject to this policy shall exercise reasonable judgment and taste in the acceptance of sponsorship and advertising and consider health implications of products to be

advertised.

Firearms

Last updated: 11/20/2001

III. UNIVERSITY POLICIES (Cont.)

The following policy was issued by the Office of the Provost on November 20, 2001.

1. Applicability

This Policy applies to all members of the University workforce.

2. Definitions

1. For the purposes of this Policy only, "workforce" is defined as employees, volunteers, trainees, and other persons whose conduct in the performance of work for the University is under the direct control of the University, whether or not the individual is paid by the University. "Workforce" may include individuals who fall within one or more of the following classifications: executive management, faculty, academic staff, adjunct faculty, clinical faculty, support staff (including regular, temporary, and on-call), student employee, graduate teaching assistant, graduate research assistant, post-doctoral fellow, leased employee, contract employee, or volunteer.
2. For the purposes of this Policy only, "firearm" is defined as a weapon from which a dangerous projectile may be propelled by an explosive, or by gas or air.

3. Prohibition

Except as otherwise provided below, members of the University workforce are prohibited at any time while on any property owned, leased, or otherwise controlled by the University, or elsewhere in the course of their employment with the University, from possessing or using any firearm. This Policy applies regardless of whether the member of the workforce has a concealed weapon permit or is otherwise authorized by law to possess, discharge, or use a firearm.

4. Exceptions

The prohibition in this Policy does not apply:

1. to a peace officer who is a member of the University's Department of Police and Public Safety, who is regularly employed by the University, and who has been authorized by the Director of the Department of Police and Public Safety to carry firearms as outlined by Department of Police and Public Safety policy; or
2. to a certified Michigan peace officer; or
3. when the Director of the Department of Police and Public Safety has waived the prohibition based on extraordinary circumstances. Any such waiver must be in writing, signed by the Director, and must define its scope and duration.

5. Violations

Members of the workforce who violate this Policy may be subject to discipline, up to and including termination.

Holidays

III. UNIVERSITY POLICIES *(Cont.)*

Last Updated: November 3, 2022

The University observes seven legal holidays by closing offices and dismissing classes. They are: New Year's Day, Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving and Christmas Day. In addition, the University observes the Friday following Thanksgiving Day, and as stipulated by the University based on the calendar, the working days preceding or following Christmas Day and New Year's Day are granted as holidays. Additionally, an annual winter break is observed between the Christmas and New Year's holidays.

Indemnification

Last updated: 8/31/2018

III. UNIVERSITY POLICIES (Cont.)

The following policy was approved by the Board of Trustees on March 15, 1974 and revised on September 2, 1983, February 3, 1984, and August 31, 2018.

Michigan State University will support its trustees, officers, faculty, and staff when acting in the good faith performance of assigned duties on behalf of the University. This policy also applies to students while engaged in approved academic programs and volunteers who are performing services in good faith for the University with prior written approval of the appropriate University official. Authority for decisions about the application or revocation of indemnification rests with the President, except when such decisions involve indemnification of the President or individual Trustees. In such situations, decisions about the application or revocation of indemnification rests with the Board of Trustees.

The University will defend, save harmless, and indemnify such persons against any suit or proceeding, wherever brought, premised upon the fact that he or she is or was a member of the Board or an officer, employee, student, or volunteer of the University. The indemnity extends to expenses including attorney fees, judgments, fines, and amounts paid in settlement, actually and reasonably incurred, and with respect to any criminal action or proceeding where such person had no reasonable cause to believe that his or her conduct was unlawful. The University shall have sole authority over litigation and settlement strategies and decisions for any suit or proceeding for which the University is providing legal defense, representation and indemnification to the person. In proceedings in which both the University and an employee are parties, the University shall have the sole discretion to determine when a conflict of interest exists between the University and the employee such that separate representation of the employee shall be provided by the University.

As a condition of indemnification, the trustee, officer, employee, student, or volunteer is required to cooperate fully on a continuous basis with the legal counsel selected by the University, as well as the University Attorney. Persons may, at their own expense, retain their own legal counsel rather than avail themselves of this policy. In such a situation, the University will not indemnify the person for any settlement, judgment, or expense incurred. This policy does not apply to a person's involvement in internal University proceedings. The University reserves the right to revoke its initial decisions and defend and indemnify a person based upon information received subsequent to that decision.

Questionnaires

III. UNIVERSITY POLICIES (*Cont.*)

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

Risk Management and Quality Assurance

Last updated: 12/3/1982

III. UNIVERSITY POLICIES (Cont.)

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

General

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

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

Patient Care

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

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

Appointment Basis

Last updated: 7/15/2016

IV. ACADEMIC HUMAN RESOURCES POLICIES

The following policy was approved by the Board of Trustees on February 17, 1944 and amended on July 26, 1991.

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

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

For AY appointments, the salary is paid on the last working day of each month during the duty period, August 16 through May 15; for AN appointments, the salary is paid on the last working day of each month.

Academic Year (AY) Appointment Starting Dates

Last updated: 6/21/2010

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy statement was issued by the Office of the Provost on February 12, 1998 and revised on April 30, 2008 and June 21, 2010.

AY appointments normally begin on August 16. To accommodate recruiting needs, academic year (AY) appointments may begin on any day during the duty period, August 16 â May 15.

Academic year (AY) appointed faculty and academic staff perform duties over the nine month academic year, normally from August 16 of a calendar year through May 15 of the following calendar year. The AY appointment salary is paid in ten installments, on the last working day of each month over the duty period, August 16 â May 15.

The 10 payments will be distributed as follows:

- salary for the period 8/16 - 8/31 on the last working day of August
- full monthâs salary on the last working day of each month for September through April
- salary for the period 5/1 - 5/15 on the last working day of May

Basic Employment Commitment on an Academic Year Basis

Last updated: 1/1/1982

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was issued by the Office of the Provost on December 8, 1981; it applies exclusively to individuals appointed or changed to AN basis on or after January 1, 1982.

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

Subject to prior agreement between the Provost and relevant dean(s) or separately reporting director(s), there may be exceptions to this policy for specific colleges, departments, other units, and individuals. These exceptions will be approved by the Provost prior to appointment via the regular procedure authorizing academic positions. Justification for such exceptions will be reviewed periodically based on the missions and programmatic requirements of colleges, departments, other units, and the specific responsibilities of individuals.

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

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

Commitment to an AN appointment basis, if approved by the Provost, may be without a specific ending date, for a specified period, subject to renewal or on a "rolling" basis, e.g., initially for a 3- or 4- or 5-year period, with automatic annual renewal for additional 3- or 4- or 5-year periods unless notice is provided otherwise. Such commitments must be approved by the appropriate chairperson(s), director(s), and dean(s) and the

Provost and must be communicated in writing to the faculty or academic staff member prior to initial appointment on an AN basis. In accordance with normal procedures, shifts from an AN to AY appointment will normally occur only on August 16.

In view of the fact that changes in unit missions, programmatic needs and individual responsibilities may, on occasion, result in shifts from an annual to an academic year appointment basis, all individuals appointed on an annual basis will be informed on the occasion of annual salary increases of the applicable salary for both an annual and academic year appointment basis. The AY salary is determined by deducting the administrative increment, if any, from the annual salary and computing an amount equal to 9/11 of the residual annual salary. Deans and separately reporting directors have the responsibility to ensure that unit administrators communicate this information to faculty and academic staff members. Such an arrangement will provide affected individuals a clear understanding of their salary status in the event of a shift from AN to AY appointments and/or a shift from an administrative assignment.

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

Dual Appointments

4/01/2014 (Policy created), 4/15/2019 (Policy revised)

This policy was issued by the Office of the Provost with an effective date of April 1, 2014, and revised on April 15, 2019, after consultation with the University Committee on Faculty Affairs and the University Committee on Faculty Tenure.

No faculty/academic staff member holding a full-time appointment at Michigan State University may, during the term of the appointment, or while on leave of absence, simultaneously hold a paid appointment at another institution. Exceptions to this policy must be approved in advance by the Dean and by the Provost and Executive Vice President for Academic Affairs (or designee).

A faculty/academic staff member who, without good cause, fails to request an exception and who continues to maintain employment elsewhere after receiving notice of violation of this policy, shall forfeit rights to further employment at the University and shall be considered as having resigned. In such circumstances, the following procedures shall apply in lieu of the Discipline and Dismissal for Cause of Tenured Faculty Policy procedures:

The Provost or designee, upon being notified of the faculty/academic staff member's additional employment, shall inform the faculty/academic staff member that the dual appointment is in violation of this policy, and provide the person with an opportunity to respond. If the faculty/academic staff member does not respond after twenty one (21) days, the Provost or designee shall proceed based on the available information. The Provost or designee shall decide whether the faculty/academic staff member's continued employment shall be considered a resignation.

The faculty/academic staff member may initiate a grievance under the Faculty Grievance Policy if he or she disagrees with the Provost's or designee's decision within 28 days of receipt of the decision. If a grievance is filed, the faculty member will be granted an unpaid leave of absence during the pendency of the grievance. In the case of tenured or tenure system faculty the initial hearing panel shall include at least three members of the University Committee on Faculty Tenure.

[Frequently Asked Questions](#)

Fixed-Term Appointment

Last updated: 2/24/2020

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

This policy was issued by the Office of the Provost with an effective date of January 11, 1980 and revised on March 1, 2010 July 1, 2012, and February 24, 2020.

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

Individuals appointed with the title of postdoctoral fellow or research associate must have a doctoral degree (Ph.D., Ed.D., M.D., D.O., D.V.M.) or its equivalent. Degree verification or a letter indicating receipt of the degree from the Dean of the Graduate School or other appropriate University official must be submitted with the initial appointment as a postdoctoral fellow or research associate.

All fixed-term appointments have a specific termination date. Appointments are typically for a period of one-year or less; however, fixed-term appointments may be for multiple year periods. Units may consider providing an initial one-year appointment prior to providing a longer appointment period, in order to assess performance. Nevertheless, it may be appropriate to provide an appointment greater than one year, especially if a longer appointment is necessary to recruit or retain an individual essential to important unit research or teaching programs. Appointments longer than three years require prior approval by the Office of the Provost. Employment as a research associate is limited to a maximum of 60 full time equivalent service months. The University has no obligation to provide reappointment or extension of a fixed-term appointment beyond the ending date. If reappointment is made, negotiation of the conditions of reappointment must originate with the basic administrative unit (department, school, institute, residential college, or other comparable academic unit.)

An individual who holds a fixed term appointment may be dismissed prior to the expiration of the period set forth on the appointment paperwork for incompetence or for serious personal or professional misconduct, including, but not limited to, failure to carry out assigned duties, theft or misuse of University property, acts of moral turpitude, insubordination, intellectual dishonesty, use of professional authority to exploit others, or violation of University rules and regulations. Prior to dismissal, the unit administrator shall confer with the dean/separately reporting director and Office of the Provost. The employee shall be provided with written notice of the reason(s) for dismissal, projected date of dismissal, and an opportunity to respond. Disciplinary action other than dismissal may be imposed after the unit administrator has conferred with the dean /separately reporting director and has provided the employee with written notice of the pending disciplinary action, reason(s) for the disciplinary action, and an opportunity to respond. Upon dismissal or other disciplinary action, the unit administrator shall provide the employee with receive written notice of his/her right to file a grievance under applicable University grievance procedures.

Appointments can be terminated prior to the expiration of the appointment period for unforeseen budgetary reasons. Ordinarily, a fixed term position will be eliminated for financial reasons at the end of the current appointment period. However, when budgetary circumstances warrant elimination of a fixed term position prior to the ending date of the current appointment, the employee shall be notified in writing of the effective

date of his/her termination at least sixty days prior to the effective date of separation. Prior to notification to the employee, the unit administrator shall confer with the dean/separately reporting director and the Office of the Provost.

Research Faculty Appointment Category

Last updated: 7/14/2020

IV. ACADEMIC HUMAN RESOURCES POLICIES (*Cont.*)

[Complete document in PDF](#)

Approved by UCFA, March 29, 2011 and Faculty Senate, February 28, 2012

PREAMBLE: The research faculty appointment category is established to meet the needs of a research intensive, land grant university in the recruitment and retention of individuals who support the research mission of the University. Research faculty appointments are consistent with the University's need to retain the flexibility to adjust its programs to meet the changing needs of the modern research University.

Research faculty are appointed on a fixed term basis, i.e., with an end date; they are not eligible for tenure. Research faculty are supported by sponsored projects or other non-appropriated University funds. The appointment is contingent on the availability of funding and cannot extend beyond the period of availability of supporting funds (see section on bridge funding).

RANKS: Research faculty are appointed at the rank of research assistant professor, research associate professor or research professor in an academic department, school and/or college.

DUTIES AND RESPONSIBILITIES: Research faculty may serve as principal investigators or project directors on research awards and are expected to seek independent external funding in areas related to the research mission and goals of the academic unit(s). Research faculty may not be assigned regular teaching responsibilities and may not participate in the governance of the University or of an academic unit. In rare cases where a research faculty member is considered for a teaching (or other non-research) assignment, the effort of the research faculty appointment must be reduced accordingly so that the research appointment is not funding the teaching appointment. Similarly, effort related to proposal writing may not be funded by external sources.

TERMS OF APPOINTMENT: Research faculty are recruited and appointed on a fixed term basis through the academic hiring procedures.

The initial appointment for a research assistant professor is normally for three years, but may range from one to three years. The initial appointment for research associate professors and research professors is for five years. In all cases, the length of the appointment is based on the external funding and may not exceed the end date of the external support. Research faculty may be appointed on an annual (AN) or academic year (AY) basis. Appointments are normally full time, with a minimum of 5% of effort supported by the general fund in order to allow time for proposal writing. Consistent with the Fixed Term Appointment policy, research faculty appointments may be eliminated for budgetary reasons prior to the ending date of the current appointment with a 60 day written notice. Prior to notification to the employee, the unit administrator shall confer with the dean/separately reporting director and the Office of the Provost.

PERFORMANCE REVIEW: Research faculty are expected to meet the research standards for comparably ranked tenure system faculty. Units must establish procedures for the review of research faculty in accordance with the principles in the policy on Annual Performance Review for Fixed Term Faculty and Academic Staff.

Four months prior to the end date of the appointment, a reappointment review must be conducted by the relevant academic unit that assesses the effectiveness of the research faculty member in fulfilling the

research mission of the unit and in obtaining and sustaining external support. The review should also include an evaluation of the academic unit's research goals and the likely role of the research faculty member in achieving these goals in the future.

The purpose of this review is to determine whether to recommend an additional appointment, or not to reappoint. The research faculty member must be informed in writing of her/his appointment status 90 days prior to the appointment end date.

REAPPOINTMENT: Reappointment is at the discretion of the appointing unit, college, and Office of the Provost. Decisions not to reappoint may be for failure to meet unit standards for competence or performance, and/or changes in program needs or in economic circumstances, e.g., lack of external funding support. A research faculty member must be informed in writing regarding reappointment 90 days prior to the appointment end date.

Subject to the availability of external funding support, research faculty may be reappointed for the following periods:

- Research Assistant professor: up to 3 years;
- Research associate professor: up to 5 years;
- Research professor: up to five years.

PROMOTION: Research faculty may be promoted at any time in accordance with the annual timetable for promotion recommendations. Promotion to research associate professor or research professor requires meeting unit standards and criteria, including the qualifications specified below.

QUALIFICATIONS FOR RESEARCH FACULTY RANKS (Colleges, departments and schools may have additional standards and criteria):

1. Research assistant professor
 1. Terminal degree (or equivalent) appropriate to the field;
 2. Evidence of productive scholarship, including external funding support;
 3. Evidence of ability to fulfill relevant responsibilities in the research enterprise.
2. Research associate professor
 1. Terminal degree (or its equivalent) appropriate to the field;
 2. Record of productive scholarship, including evidence of sustained external research funding and salary support;
 3. Fulfillment of important responsibilities in the research enterprise.
3. Research professor
 1. Terminal degree (or its equivalent) appropriate to the field;
 2. Record of research excellence as in independent investigator, including an established record of continued research funding;
 3. Unmistakable evidence of national or international recognition by peers.

BRIDGE FUNDING: Bridge funding may be available to provide salary and benefit support for research faculty who experience a short term gap in external (sponsored) funding due to factors beyond their control. Eligibility for bridge funding is determined by the rank of the research faculty member and the years of service in that rank at MSU, as specified below

| Rank (years of service) | Funding Eligibility (salary and benefits) |
|-------------------------------------|--|
| Research assistant professor | |
| Less than 3 years of service | Not eligible |

| | |
|--|---------------------------------------|
| 3-5 Years of service | Up to 2 months of salary and benefits |
| Research associate professor and Research professor | |
| Less than 3 years of service | Up to 6 months of salary and benefits |
| 3 or more years of service | Up to 12 months salary and benefits |

The Office of the Vice President for Research and Graduate Studies (VPRGS) administers a central bridging fund which covers 50% of the total bridging costs. The appointing unit and/or college must provide the other 50% of the cost. Bridge funding is not an entitlement; approval by the VPRGS and Associate Provost for Faculty and Academic Staff Affairs is based on consideration of the following factors:

- The quality and significance of the research faculty member's work;
- The research faculty member's past experience in obtaining external support for her/his work;
- The quality and significance of the research plan of the research faculty member;
- The potential for the research faculty member to obtain external support in the future;
- Evidence that the research faculty member has a grant application that is expected to be funded in the near future by an external agency, given the placement of the proposal(s) in the funding cycle;
- Evidence that the research faculty member's work is in keeping with unit and institutional priorities;
- A statement by the appointing unit regarding the research faculty member's continued employment.

Bridge funding requests are to be submitted by the appointing unit with the above information, including the dollar support required and a statement by the appointing unit that if the request is approved, it will cover 50% of the cost of salary and benefits. The request must be endorsed by the dean(s) with the final decision made jointly by the VPRGS and the Associate Provost for Faculty and Academic Staff Affairs.

PAY and BENEFITS: Research faculty are covered by the same salary guidelines that apply to other non-union fixed term faculty. The guidelines provide for pay adjustments (usually annual) based on merit. Research faculty are covered by the same benefit programs applicable to other non-union fixed term faculty and academic staff, e.g., health, dental and prescription drug coverage, retirement plan, etc. Eligibility for coverage under such programs is the same as for other non-union fixed term faculty.

TERMINATION AND DISCIPLINE: Termination may occur during the term of the contract for cause or for unforeseen changes in budgetary circumstances.

Dismissal for cause during the appointment period may be the result of serious personal or professional misconduct including, but not limited to, (1) intellectual dishonesty; (2) acts of discrimination, including harassment, prohibited by law or University policy; (3) acts of moral turpitude substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration; (4) theft or misuse of University property; (5) incompetence; (6) refusal or failure to perform reasonable assigned duties; (7) use of professional authority to exploit others; (8) violation of University policy substantially related to performance of faculty responsibilities; and (9) violation of law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration.

Prior to dismissal, the unit administrator shall confer with the dean and the Associate Provost for Faculty and Academic Staff Affairs and provide written notice of the reason(s) for dismissal, projected date of dismissal and an opportunity to respond.

Disciplinary action other than dismissal may be imposed after the unit administrator has conferred with the dean and has provided the research faculty member with written notice of the pending disciplinary action, reason(s) for the disciplinary action, and an opportunity to respond.

Upon dismissal or other disciplinary action, the unit administrator shall provide the research faculty member with written notice of the right to file a grievance under the Faculty Grievance Policy. A research faculty

member dismissed for cause will be terminated no earlier than 30 days from the date of the termination notice.

Terminations may also be implemented during the appointment period for budgetary reasons. In such cases, the research faculty member will be notified in writing of the effective date of termination at least sixty days prior to the effective date of separation. Prior to notification to the employee, the unit administrator shall confer with the dean/separately reporting director and the Office of the Provost.

Research faculty are covered by the provisions of the Faculty Grievance Policy.

TRANSFER OF RESEARCH FACULTY TO OTHER APPOINTMENT CATEGORIES:

Research faculty are eligible to apply for tenure system or other position openings in accordance with standard University appointment policies and procedures.

Annual Performance Review for Fixed Term Faculty and Academic Staff

Last updated: 3/1/2011

IV. Faculty and Academic Staff Affairs Policies

This policy was issued by the Office of the Provost on March 1, 2011 (to be effective Fall semester 2011); it reflects advice by the Faculty Council and the University Committee on Faculty Affairs

Policy Statement ¹

All units must have procedures for annual written evaluation of all fixed term faculty and academic staff to support the annual merit process and to provide a basis for a clear statement of performance expectations and accomplishments. It is recognized that provisions and practices in units may vary; however, all evaluation procedures must incorporate, at the minimum, the principles included in this policy and must be applied consistently to all fixed term faculty and academic staff within the unit.

I. Principles

The purposes of the annual performance evaluation of fixed term faculty and academic staff are to:

- Ensure that each individual has a clear understanding of what is expected of her/him in his/her appointment;
- Assess individual performance against expectations;
- Provide an opportunity for fixed term faculty and academic staff to provide input to unit administrators about their performance;
- Provide a basis for making decisions on merit pay; and
- Provide input for decisions about future appointments.

While some variation may occur in the approach, the following principles as implemented by unit procedures are to be followed by unit administrators (i.e., Deans, Chairpersons and Directors) and fixed term faculty and academic staff. In the case of fixed term faculty and academic staff with joint appointments, a lead unit administrator shall be designated. The process should be clearly defined by the bylaws or established personnel policies and procedures of each academic unit.

A. Each fixed term faculty member and fixed term academic staff member shall be evaluated on an annual basis and informed in writing of the results of his/her evaluation by the unit administrator.

B. Each unit shall have clearly formulated and relevant written performance criteria and shall provide these at the time of appointment, and subsequently as necessary, to all fixed term faculty and academic staff to clarify expectations.

C. Fixed term faculty and academic staff shall be informed of all factors used for evaluation, the evaluation of their performance on each of these factors and the relationship between their performance and decisions on merit salary adjustments and, if appropriate, on reappointment and promotion. Fixed term faculty and fixed term academic staff are entitled to have all their assigned duties given weight in the evaluation.

D. These annual assessments of fixed term faculty and academic staff shall be reflected in recommendations to the Provost's Office regarding additional appointments, reappointment, and/or promotion.

II. Guidelines for Unit Consideration in Implementation

A. Units should initiate the annual evaluation process early enough so that the full process, including feedback to fixed term faculty members and fixed term academic staff members, may be completed within three months after the end of the appointment period.

B. Each fixed term faculty member and fixed term academic staff member shall submit a written summary of activities for the appropriate period of time to the unit administrator in a timely manner prior to the evaluation. As appropriate, these materials will be shared with the peer review committee in accordance with unit bylaws and procedures.

C. If unit bylaws or procedures provide for performance evaluation by peer review committees, unit administrators shall rely on the advice of this designated group, in addition to their own judgment.

D. The unit administrator, or designee, shall offer to discuss the evaluation with the fixed term faculty /academic staff member. A draft of the written evaluation shall be given to the faculty/academic staff member prior to this discussion.

E. Unit administrators or their designees, no later than 3 months after completion of the evaluation, shall provide to the fixed term faculty member or academic staff member a final written evaluation of her/his overall performance.

F. If, after receiving the final written evaluation, the fixed term faculty or academic staff member disagrees with its content or chooses to provide additional documentation or commentary, the faculty or academic staff member shall have an opportunity to respond to the evaluation. Any additional written faculty/academic staff comment and/or documentation which is submitted within one month of receipt of the final written evaluation shall be added to the evaluation file.

G. The full documentation for this written evaluation, including the faculty/academic staff member's response, shall be placed in the individual's unit personnel file.

H. Meetings between fixed term faculty and academic staff members and unit administrators are encouraged prior to the written summary to provide feedback about expectations and evaluation. Each fixed term faculty /academic staff member shall have the right to meet in person with the unit administrator or designee after the final written evaluation is received.

I. For those appointed to one-time fixed term appointments, an evaluation must still be completed, and a copy retained by the unit.

[Model Unit Performance Evaluation Policy/Procedure](#)

[Fixed Term Faculty and Academic Staff Annual Performance Evaluation Form](#) (MS Word Document)

¹Health Programs (HP) faculty are not included in this policy. The [Health Programs Faculty Appointment System Handbook](#) details the policies and processes for annual reviews of HP faculty.

Promotion of Fixed Term Faculty

Last updated: 1/24/2013

IV. ACADEMIC HUMAN RESOURCES POLICIES

This policy was issued by the Office of the Provost on January 24, 2013 (to be effective fall semester 2013). It reflects advice by the University Committee on Faculty Affairs and the Faculty Senate.

Policy Statement

Each department, school and college regularly employing fixed term faculty must have evaluation and review procedures for the promotion of fixed term faculty.^[1] It is recognized that provisions and practices in units may vary; however, all procedures must incorporate, at a minimum, the principles included in this policy and must be applied consistently to similarly situated fixed term faculty.

Principles

1. While the mix of duties performed by fixed term faculty may vary within and across units, academic rank at Michigan State University must be based on standards that result in a progressively stronger faculty. A fixed term faculty member's level of accomplishment, even if limited to a narrow range of duties (e.g. only teaching), should reflect the same level of accomplishment for that set of duties as is required for a tenure system faculty member being promoted to the same rank.
2. Procedures adopted must minimally include:
 1. Review and recommendation by a faculty review committee at the unit and college levels that make recommendations to the chairperson/director and dean.
 2. Provide an opportunity for the fixed term faculty member to confer with the faculty review committee before a recommendation is made.
 3. Each chairperson, director, and dean must make a recommendation taking into consideration faculty evaluations and other supporting information, yet unit administrators are responsible as individuals for the recommendations made.
 4. Candidates for promotion will be asked to provide materials for the review, using the "Recommendation for Reappointment, Promotion or Tenure Action form, (Form on Progress and Excellence), as a guide, but must include:
 1. Current curriculum vita,
 2. Reflective essay about accomplishments over the reporting period (5 page maximum),
 3. A representative sample of scholarly work, and
 4. Evidence of excellence in performing assigned duties, e.g. significance, impact, and innovation of research/creative activities, instructional activities, and service.
 5. Because of the diversity in assignments of fixed term faculty, unit administrators must prepare a description of the candidate's assignment, including, for example, the percentage of the appointment devoted to research/creative activities, teaching, service, etc.
3. External review letters may be used, to the extent relevant, following the principles in the policy, "[External Letters of Reference](#)."

With the exception of the sample of scholarly work, all materials, along with the recommendations of the department chairperson/school director and dean, must accompany each promotion recommendation for Provost Office review.

^[1] The policy must address promotions from the rank of assistant professor to associate professor and from associate professor to professor. It does not apply to promotions from the rank of instructor to assistant

professor.

Summer Session

Last updated: 7/26/1991

IV. ACADEMIC HUMAN RESOURCES POLICIES (*Cont.*)

The following policy was approved by the Board of Trustees on July 26, 1991.

Faculty members appointed on an academic year basis may be assigned teaching, research or public service duties for the summer term in addition to fall and spring terms. Summer instructional appointments will normally be limited to the equivalent of one regular summer session. Faculty members may also elect to pursue additional teaching, research or service assignments up to a total maximum effort not to exceed 3/9 of the previous academic year appointment. Regular summer instructional appointments for a summer session, either Summer A or Summer B, will be compensated at the rate of 2/9 (22.2%) of the previous year's salary, with a maximum earning level of 3/9 of the previous academic year's salary. (No benefit premiums or base retirement contributions are made on this pay.) Faculty members appointed on an academic year basis may perform summer duties involving teaching, research and public service in exchange for one of the other semesters providing:

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

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

Adjunct and Clinical Appointments

Last updated: 7/1/1996

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was issued by the Office of the Provost in 1975 and was revised on July 1, 1996.

These are appointments of persons whose primary responsibility and income is outside the unit in which the appointment is made. Primary responsibility or source of income may be in another unit of the university or may be outside the university. The appointments are usually without salary and for a maximum period of three years. Reappointment is at the discretion of the administrative unit. Successive reappointments do not confer tenure or other continuing employment status.

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

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

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

1. Areas in which the adjunct or clinical appointment carries faculty status:

- Library privileges ¹
- Privilege of attending departmental, college and university faculty meetings
- Use of intramural facilities and Forest Akers Golf Courses ¹
- Purchase of athletic tickets at faculty rates ¹
- MSU Identification Card
- Eligibility for travel accident coverage when authorized to travel on University business
- Eligibility for faculty membership in University Club
- Parking privileges (may purchase standard permit or, for limited use, may purchase guest permit) ¹
- MSU Net ID/email accounts
- Professional liability insurance coverage while acting for the University in accordance with the requirements of University policy (see 5, below, applicable to clinical faculty in the Colleges of Human Medicine and Osteopathic Medicine.)
- These appointments are "covered" by Unemployment Compensation; because little or no remuneration is involved, it is very unlikely that adjunct or clinical appointees would become eligible for compensation benefits.

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

- Any insurance benefit or program offered by the University other than those listed under (1) above

- Tenure
- Voting in University elections
- Election to University committees

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

- Amount of time to be spent in the unit
- Service on unit committees
- Service on graduate committees
- Voting at the unit level
- Office space to be provided by the unit
- Laboratory facilities to be provided
- Secretarial help or graduate assistant help to be provided
- Authority to teach, do research, or advise students for the unit
- Authority to publish as a member of the unit
- Authority to propose, receive and implement research grants

4. Emeritus status for adjunct or clinical appointments

- Individuals who meet the following criteria may be recommended for emeritus status:
 - a. Be 62 years of age and have served as a clinical/adjunct faculty member for fifteen years, or
 - b. Have served as a clinical/adjunct faculty member for twenty-five years at any age

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

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

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

5. Malpractice insurance coverage in teaching CHM and COM students ²

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

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

3. The negligence occurred during the course of an MSU-sponsored educational program in which the physician and/or patient was participating.

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

The University is generally not responsible for such coverage for residents or fellows who are supported by individual hospitals or a hospital-medical school educational corporation, nor does coverage extend to instances where an MSU student, resident or fellow is "moonlighting." Professional liability coverage is provided by these organizations. As is the case with all such coverage, it is important that every incident involving an MSU student, resident, or fellow that may potentially develop into a malpractice suit be brought to the attention of the University as soon as possible and that the University be notified within 5 days after the physician is notified that a suit has been initiated. Notification should be sent to the Office of the Dean, in writing, including all details that are known at the time. It is essential that physicians cooperate fully with the University Office of Legal Affairs and Office of Risk Management.

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

Footnotes:

¹ MSU Identification Card required.

² Memorandum distributed to clinical faculty in the Colleges of Human and Osteopathic Medicine from Deans W. Donald Weston and Myron S. Magen on October 31, 1983.

Awarding of Emeritum Status

Last Updated: October 23, 2023

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on May 18, 1950, revised on April 5, 1991, June 21, 2019, February 14, 2020, and June 24, 2022.

Emeritum [\[1\]](#) status may be awarded to members of the faculty, academic staff, and administrators who leave the University with official retirement status [\[2\]](#) , [\[3\]](#) .

Rights and Privileges

Faculty and academic staff with the emeritum designation are entitled to attend Faculty Senate meetings with voice but without vote and to march in academic processions, such as commencement.

All individuals with emeritum status may avail themselves of the libraries; have continued access to an MSU e-mail account; receive, on application, an employee vehicle permit; represent the University, on appointment, at academic ceremonies of other institutions; and, in general, take part in the social and ceremonial functions of the University.

Faculty and Academic Staff

For faculty and academic staff members the "emeritum" designation is appended to the rank held at the time of retirement, e.g., professor emeritum, librarian emeritum, senior academic specialist emeritum, etc.

Written recommendations for the awarding of emeritum status must be made by the chair/school director /unit administrator of the employing department and must be supported by the dean/major administrative unit head. The Office of the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (FASA) will then make a written determination indicating whether emeritum status should be awarded.

If at any point during the foregoing process, a faculty member is not recommended, supported, or determined to receive emeritum status, the faculty member must be notified and may file a written appeal within 30 days of the decision to the University Committee on Faculty Affairs (UCFA). If the UCFA determines the appeal has merit, it will forward the relevant documents to the Provost who shall make the final decision.

Administrators

Administrators [\[4\]](#) are eligible for emeritum designation. The emeritum designation is appended only to the most senior administrative title held at Michigan State University, which may be held at or prior to the time of retirement, e.g., vice president emeritum, dean emeritum. The emeritum designation is not normally awarded for administrative titles held on an "acting" or "interim" basis.

Written recommendations for the awarding of emeritum status for academic administrators must be made by the unit administrator of the employing unit/department and must be supported by the dean/major administrative unit head. The Office of the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (FASA) will then make a written determination indicating whether emeritum status should be awarded.

Administrators who are deans or executive managers may be awarded emeritum designation only after submitting a formal letter of request to their supervisor, which must be supported by their supervisor, the major administrative unit head (e.g., Vice President), and the Office of the Associate Provost and Associate Vice President for FASA.

Emeritum Status After a Substantial Period of Service

Faculty and Academic Staff

Faculty and academic staff who end their employment at the University after a substantial period of distinguished service, but short of the years of service needed for retirement eligibility, may be granted emeritum status by the President upon the written recommendation of the Provost after the Provost consults with the UCFA.

Administrators

Administrators who end their employment at the University after a substantial period of distinguished service, but short of the years of service needed for retirement eligibility, may be awarded emeritum designation only after submitting a formal letter of request to their supervisor, which must be supported by their supervisor, major administrative unit head (e.g., Vice President), the Office of the Associate Provost and Associate Vice President for FASA, and the President.

Granting emeritum status in these cases does not affect the individual's retirement eligibility requirement per University policy.

Revocation of Emeritum Status

Faculty and Academic Staff

Emeritum status for faculty and academic staff that was granted on or after June 24, 2022 may be revoked in those cases in which behavior occurring or discovered after being awarded emeritum status is deemed to be substantially inconsistent with the behavior expected of Michigan State University faculty and academic staff.

Either the Dean or the Associate Provost and Associate Vice President for FASA may initiate revocation of emeritum status by making a written request to the Provost. The faculty member must be notified and given an opportunity to respond within thirty days to the Provost. The Provost will consult with the UCFA and recommend to the President whether emeritum status should be revoked. The President will render a written, final decision.

For faculty and academic staff automatically granted emeritum status under the University's emeritum policy in effect before June 24, 2022, the President may revoke emeritum status (following the procedure above) based on behavior that is deemed to be substantially inconsistent with the behavior expected of Michigan State University faculty and academic staff, regardless of whether that behavior occurred before or after the automatic granting of emeritum status.

Administrators

Emeritum status for an administrator that was granted on or after June 24, 2022 may be revoked by the President in those cases in which behavior occurring or discovered after being awarded emeritum status is deemed to be substantially inconsistent with the behavior expected of Michigan State University administrators.

For administrators automatically granted emeritum status under the University's emeritum policy in effect before June 24, 2022, the President may revoke emeritum status of the administrator based on behavior that is deemed to be substantially inconsistent with the behavior expected of Michigan State University administrators, regardless of whether that behavior occurred before or after the automatic grant of emeritum status.

In either case, the administrator must be notified and given an opportunity to respond within thirty days to the President. The President will render a written, final decision after considering any written response

[1] Faculty, academic staff, and administrators who are awarded emeritum status may choose to use the term "Emeritus", "Emerita" or "Emeritum" in describing their designation.

[2] For purposes of granting "emeritum" status only, the employment start date with the former Michigan State University College of Law, a Michigan non-profit corporation, will be used to determine emeritum eligibility for College of Law faculty, academic staff and administrative staff who transitioned their employment to the University, effective January 1, 2020, in then-anticipation of the full integration into the University. Any such individual's "emeritum" status will not affect the University's retirement eligibility requirements as they apply to such individual (*i.e.*, the employment start date with the University will be used to determine such individual's retirement eligibility).

[3] Official retirement status as defined by university policies.

[4] Includes executive managers such as vice presidents, associate vice presidents, etc., and academic administrators such as deans, associate/assistant deans, chairpersons/school directors, etc.

Resources:

[Requesting Emeritum Status](#)

[Emeritum Request Form](#)

[Policy Change Crosswalk Resource](#)

Faculty Rights and Responsibilities

Last updated: 7/27/1984

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

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

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

In order to carry out the mission of the University, faculty members, as members of both the academic and the broader public community, have the right to a clear statement of academic freedom, tenure, and other fundamental faculty rights and responsibilities. The purpose of this document is to acknowledge these fundamental rights and responsibilities. ⁵

Academic Freedom and Responsibility

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

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

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

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

1. The responsibility to carry out assigned teaching, research, and public service duties in a professional manner and in keeping with University policy;
2. The responsibility, as teachers, to refrain from introducing matters which are not consistent with their teaching duties and professional competence and which have no significant bearing on the subject matter of the course as approved under University procedures;
3. The responsibility to pursue excellence and intellectual honesty in teaching, research, and other creative endeavors and in public service activities; and in publishing or presenting research findings and creative works;
4. The responsibility to encourage students and colleagues to engage in free discussion and inquiry; and to evaluate student and colleague performance on a scholarly basis;
5. The responsibility to work in a collegial manner with appropriate individuals and bodies to encourage the free search for knowledge; its free exposition, and the University's continuing quest for excellence; and
6. The responsibility to differentiate carefully their official activities as faculty members from their personal activities as citizens and, when the situation warrants, to make it clear that, when speaking as private citizens, they do not speak for the University.

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

Academic Tenure

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

Academic Governance

The faculty have a right and responsibility to participate in the establishment and functioning of a governance system at the department or school, college, and University levels in accordance with Michigan State University *Bylaws for Academic Governance* to ensure academic freedom and the promotion of the goals of the institution. The University looks to the faculty for recommendations on various academic personnel matters including faculty appointments, reappointments, promotions, the award of tenure, and salary increase guidelines; on the development of new academic programs and the modifications or discontinuance of existing programs, on academic curricula and standards; on definition of University mission and goals; on policies governing research and creative endeavors; on the formulation of annual budget requests and allocations; and on the selection and review of specified administrative officials, as well as other issues that concern the general welfare of the University, including student affairs and the academic environment.

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

Teaching

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

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

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

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

Research and Creative Activity

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

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

Public Service

As the land-grant university of the State of Michigan, Michigan State University is committed to public service as an integral aspect of its mission; this entails a commitment to the creation, dissemination, and application of knowledge. Public service involves the application of the faculty member's professional training and competence to issues and problems of significance to constituencies and it is related to academic program objectives of the unit(s) in which the faculty member is appointed. Faculty members engaging in

public service activities enjoy the same rights and have the same responsibilities which were previously stated as pertaining to them as teachers and scholars.

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

Relation with Colleagues

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

Relation to the University and the Community

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

As a member of the wider community, the faculty member has the rights and obligations of any citizen. In exercising these rights, the faculty member speaks only as an individual, either as a professional scholar with a field of special competence or as a private citizen.

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

Resolution of Conflicts

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

Amendment Procedures

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

APPENDIX A

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

- Bylaws of the Board of Trustees
- Board of Trustees Policy Manual
- Bylaws for Academic Governance
- The University Catalog

Academic Programs
Description of Courses
Graduate Study

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

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

- Abrogation of Faculty Responsibility
- Academic Advisement, Enrollment, Registration and Counseling
- Academic Freedom
- Academic Freedom for Students (especially Article 2)
- *Academic Programs: Michigan State University*
- Anti-Discrimination: Policy and Procedures
- Appointment, Reappointment, Tenure, and Promotion Recommendations
- *Bylaws for Academic Governance*
- *Bylaws of the Board of Trustees* (especially the Preamble and Article 7)
- Code of Teaching Responsibility
- Development of Copyrighted Material
- Discipline and Dismissal of Tenured Faculty for Cause
- Equal Opportunity and Non-Discrimination
- Faculty Grievance Procedure
- Faculty Group Practice, Michigan State University
- Final Examination Policy (*Schedule of Courses*)

- Freedom of Expression (Board of Trustees Policy Manual)
 - Integrity of Scholarships and Grades (*Academic Programs*, General Information, General Procedures and Regulations)
 - [Interim Guidelines for Potential Conflicts of Interest in Academic Areas of the University](#)
 - Medical Service Plan for Colleges of Human Medicine and Osteopathic Medicine
 - Mission Statement, Michigan State University
 - Non-Tenured Faculty in the Tenure System
 - Ordinance on Examinations (*Ordinance #17.00*, Michigan State University)
 - Outside Work for Pay
 - Overload Pay
 - Patents
 - On Preventing Conflicts of Interests in Government-Sponsored Research at Universities
 - Protection of Human Subjects
 - Regulatory Guidelines for Research
 - Rights of Students to Receive Instruction
 - Sponsored Research and Creative Endeavor
 - Sponsored University Programs for Research and Education
 - Student Instructional Rating System
 - Student Records
 - Tenure of Appointment at Michigan State University
 - Use of Animals in Research, Teaching and Outreach
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Footnotes:

¹ The terms, "faculty" or "faculty members," as used in this document, apply to individuals appointed in the tenure system with the rank of instructor through professor. (However, as applicable in the context of assigned duties and responsibilities, the provisions of this policy apply to all faculty and academic staff).

² *Bylaws of the Board of Trustees*, as amended January 24-25, 1980, *Preamble*, page 1.

³ "The Board of Trustees, the administration, and the faculty carry out their respective responsibilities not as isolated entities, but as major and primary constituents of the total University organization and structure which remain mutually independent and must be supportive of each other's purposes, functions, and obligations. It is within this context that the rights and responsibilities of the faculty are to be construed" (*Bylaws of the Board of Trustees*, as amended January 24-25, 1980, Article 7, page 7.)

⁴ "The Board of Trustees, elected by the voters of the State and responsible to all the people of Michigan, exercises the final authority in the government of the University, within the limits fixed by the State Constitution. In exercising its responsibility, the Board delegates to the President of the University and through the President to the faculty, appropriate authority and jurisdiction over matters for which they are held accountable by the Board. These matters include educational policy and the development of a strong and efficient organization with which to accomplish the objectives of the University." (*Bylaws of the Board of Trustees*, as amended January 24-25, 1980, *Preamble*, page 1.)

⁵ Some faculty rights and responsibilities referred to in this document are stated elsewhere (see Appendix A).

Conflicts of Interest, Faculty/Academic Staff

Last updated: 4/13/2012

VI. RESEARCH AND CREATIVE ENDEAVOR

This policy was approved by the Board of Trustees on April 13, 2006 and revised on April 13, 2012.

I. PREAMBLE

As a modern research-intensive land-grant university, Michigan State University is committed to maintaining the trust of the general public which supports it and which it serves. For the University to do so, its faculty must pursue their research, teaching, outreach, and service responsibilities with integrity and proper professional judgment in a manner consistent with the highest standards of their respective disciplines and in the best interests of the University. A faculty member's reputation for integrity and for exercising proper professional judgment can be seriously compromised, however, if the faculty member fails to disclose a significant financial interest that is related to his/her institutional responsibilities. Moreover, an individual faculty member's unmanaged and unresolved conflict of interest can undermine confidence in the University and, thus, harm its standing and that of its entire faculty.

This Policy addresses the disclosure, review, management, and resolution of conflicts of interest relating to the performance by faculty of their research, teaching, outreach, and service responsibilities at the University. For purposes of this Policy, a "conflict of interest" exists when a faculty member's financial interests or other opportunities for tangible personal benefit may compromise, or reasonably appear to compromise, the independence of judgment with which the faculty member performs his/her responsibilities at the University.^[1]

II. APPLICABILITY^[2]

This Policy applies to individuals appointed through the academic personnel system with research, teaching, outreach, or service institutional responsibilities. This Policy also applies to other individuals who have independent responsibility for proposing, conducting, or reporting the results of University research and other sponsored projects.^[3]

III. IMPLEMENTATION

A. Disclosure

Faculty members must annually disclose all significant financial interests^[4] and other opportunities for tangible personal benefit that are related to the faculty member's institutional responsibilities. Faculty members must also submit an updated disclosure within thirty days of acquiring any new significant financial interest or other opportunity for tangible personal benefit. "Institutional responsibilities" refer to the faculty member's professional responsibilities on behalf of the University, which include research, teaching /education, outreach, and service activities, both within and outside the University, in the general area of expertise for which the faculty member is employed by the University.

Disclosures will be made in accordance with the procedure established by the Faculty Conflict of Interest Officer (FCOIO). Each faculty members shall provide all information necessary for the University to review, manage, and resolve any conflicts of interest involving that faculty member.

The University shall respect the confidentiality of private financial and other private information supplied by faculty, and shall not release this information publicly unless it is legally required to do so, the resolution or elimination of the conflict of interest requires public disclosure of the information, or the faculty member consents to its public disclosure.

B. Faculty Conflict of Interest Officer

The Vice President for Research and Graduate Studies (VPRGS), in consultation with representatives of the University Committee on Graduate Studies (UCGS) and the University Committee on Faculty Affairs (UCFA), will appoint a FCOIO to administer this Policy. The FCOIO shall serve as a resource to faculty and administrators on defining and addressing faculty conflicts of interest and shall convene and serve, *ex officio*, as a non-voting member of the Conflict Review Committee described in Section III.D of this Policy.

The FCOIO shall develop and maintain an institutional procedure for faculty members to report significant financial interests and other opportunities for tangible personal benefit, as required by this Policy.

The FCOIO, in consultation with relevant administrators and appropriate academic governance committees, shall arrange for the preparation of a handbook for faculty, incorporating a list of frequently asked questions, explaining and interpreting this Policy. Assessment, management, and resolution of conflicts of interest should take into account the different norms, customs, and expectations of the various disciplines found among faculty in the University.

C. College-Specific Addenda

Each college (or relevant non-college unit) is encouraged to prepare, in consultation with the FCOIO, a supplement to the conflict of interest handbook, with frequently asked questions, that addresses conflict of interest issues specific to the disciplines and activities of the faculty of that college. A college may also adopt its own addendum to this Policy to address specific conflict situations which occur in that college. Such addenda must be prepared in consultation with the FCOIO and approved by the VPRGS. College-specific addenda must be consistent with, and no less stringent than, the provisions of this Policy and federal law and regulations regarding conflict of interest.

D. Conflict Review Committee

The VPRGS, in consultation with representatives of the UCGS and the UCFA, shall appoint a Conflict Review Committee (CRC) composed of at least five faculty members from different disciplines, one of whom they will select as chairperson. At the discretion of the VPRGS, additional members may be appointed to the CRC. CRC members shall serve for staggered three-year terms and may be reappointed to additional terms. The FCOIO shall convene the CRC and serve, *ex officio*, as a non-voting member. The FCOIO and CRC have the authority to invite any input they deem necessary to assess a potential conflict of interest.

The FCOIO shall make the initial assessment about the existence of a conflict of interest based on the extent to which a disclosed significant financial interest or opportunity for tangible personal benefit could reasonably be expected to affect, or be perceived to affect, a faculty member's performance of a University responsibility. If the FCOIO determines that a disclosed interest may create a real or potential conflict of interest, the FCOIO shall forward the disclosure to the CRC for additional assessment. If the CRC determines that no conflict of interest exists, it shall inform the faculty member and the VPRGS of that determination in writing. If the CRC determines that a conflict of interest exists as a result of the disclosures made by the faculty member, or as a result of a report made by another party, the CRC shall develop a written plan for the resolution or management of the conflict of interest. The CRC may consult with the faculty member, the faculty member's unit administrators,^[5] the FCOIO, and appropriate representatives of

the central administration in developing a plan.

The FCOIO shall submit the plan to the faculty member and the faculty member's unit administrators for review and comment. If the faculty member does not agree with the CRC's plan for the management or resolution of the conflict of interest, the faculty member may file a written objection detailing the nature of his/her objections with the VPRGS within ten days of receiving notice of the CRC's plan. The CRC's plan, along with any written comments submitted by unit administrators, and the objections of the faculty member shall be submitted to the VPRGS. The VPRGS may accept the CRC's plan or decide to implement an alternative plan for the management or resolution of the conflict of interest. The VPRGS shall issue his/her decision within thirty days of his/her receipt of the CRC's plan and any supplemental material.^[6] The VPRGS shall report his/her decision to the CRC, faculty member, unit administrators, and FCOIO.

In devising the plan to address the conflict of interest, the CRC shall seek to employ the least intrusive management techniques that will suffice to resolve the ethical and legal concerns arising from the conflict.

The CRC may recommend to the Provost and VPRGS the issuance of specific guidelines to investigators and other faculty regarding common conflict situations.

IV. SPECIFIC REQUIREMENTS FOR RESEARCH AND PROJECTS FUNDED BY THE PUBLIC HEALTH SERVICE AND NATIONAL SCIENCE FOUNDATION

The Public Health Service (PHS) and National Science Foundation (NSF) have developed policies and procedures to ensure that the design, conduct, and reporting of research funded under PHS or NSF grants, cooperative agreements, and contracts will not be biased by conflicts of interest affecting the investigators responsible for such research.

The PHS/NSF regulations require that each institution and investigator applying for, receiving, or being supported by PHS/NSF funds be compliant with PHS/NSF rules regarding training and disclosure prior to applying for funds and the establishment of conflict of interest management plans prior to the expenditure of funds.

Investigators applying to PHS or NSF must disclose to the University all "significant financial interests" (as defined in the regulations) related to the investigator's institutional responsibilities. Further, investigators participating in PHS- or NSF-funded research are required to submit an updated disclosure of significant financial interests within thirty days of acquiring any new significant financial interest.

A conflict of interest exists if the University determines that the investigator has a significant financial interest that could directly and significantly affect the design, conduct, or reporting of PHS- or NSF-funded research. The University will not authorize the expenditure of any funds under a PHS- or NSF-funded research project until (a) all investigator disclosures have been reviewed for potential conflicts of interest; and (b) if a conflict of interest exists, a plan satisfactory to the VPRGS to manage the conflict of interest has been developed and implemented.

To the extent that these or any other legal requirements are more stringent than this Policy, they will take precedence. For a detailed description of the disclosure requirements applicable to PHS/NSF investigators, refer to the "Guidelines on Conflict of Interest Pertaining to Applications for NSF and PHS Research Support," which is a supplement to this Policy.

V. NON-COMPLIANCE

A faculty member who violates this Policy is subject to disciplinary action. Any University employee or student who knowingly files a false allegation that this Policy has been violated, or who knowingly provides false information to or intentionally misleads University officials who are investigating an alleged violation of this Policy, may be subject to disciplinary action. The VPRGS shall establish a mechanism, after consulting with the FCOIO, for investigating concerns or allegations regarding significant financial interests and other opportunities for tangible personal benefit of faculty which are not reported as required under this Policy. The review and investigation of concerns or allegations that this Policy has been violated will be conducted confidentially to the extent permitted by law, except insofar as information needs to be disclosed so that the University may effectively investigate the matter or take corrective action.

If the failure of a faculty member to comply with this Policy has biased the design, conduct, or reporting of funded research, the University may, and in some cases is required to, notify the awarding agency of the compliance failure and the corrective action taken by the University.

VI. TIMING OF IMPLEMENTATION

The current Faculty Conflicts of Interest Policy was approved by the Board of Trustees on April 13, 2006. This revised Faculty Conflicts of Interest Policy shall supersede the current Policy upon approval by the Board of Trustees.

Effective August 24, 2012, all individuals who have independent responsibility for proposing, conducting, or reporting the results of University PHS- or NSF-funded research must be in compliance with this Policy and related University policies and guidelines applicable to PHS- or NSF-funded research.

The President, in consultation with the VPRGS, shall determine the timing of implementation of the annual reporting requirement under Section III, Part A of this Policy for covered individuals to whom the foregoing paragraph does not apply. Such individuals shall comply with the disclosure requirements set forth in the Faculty Conflicts of Interest Policy approved by the Board of Trustees on April 13, 2006 until the President has determined that the disclosure requirements set forth in this revised Policy are applicable to them, which shall be no later than January 1, 2015.

[\(See Frequently Asked Questions\)](#)

[1] In amplification and not in limitation of the foregoing, a conflict of interest exists if a faculty member's financial interests (or other opportunities for tangible personal benefit) directly and significantly affect the design, conduct, or reporting of the results of research or other sponsored projects.

[2] For purposes of this Policy, the individuals described in Section II (Applicability) will generally be referred to as "Faculty" or "Faculty Members," although the term encompasses, and the Policy applies to, all individuals described in Section II.

[3] For a more detailed description of this Policy's application to individuals involved in University research and other sponsored projects, refer to the Faculty Conflict of Interest Handbook.

[4] A "significant financial interest" is defined in the Faculty Conflict of Interest Handbook.

[5] For purposes of this Policy, references to a faculty member's "unit administrators" include the relevant department chair, dean, and/or separately reporting director.

[6] This thirty-day period may be extended by the FCOIO upon the written request of the VPRGS.

Appendix: Role, Appointment, and Evaluation of the Faculty Conflict of Interest Officer (FCOIO)

1. Role of the FCOIO

- A. Serves as an information resource to faculty and administrators on defining and addressing conflicts of interest, as defined in the Policy.
- B. Prepares an institutional procedure to be used in establishing conflict reporting mechanisms.
- C. Convenes the Conflict Review Committee (CRC) and serves, *ex officio*, as a non-voting member.
- D. In consultation with relevant administrators and appropriate faculty committees, arranges preparation of a handbook incorporating a list of frequently asked questions explaining and interpreting the Policy.

2. Appointment of the FCOIO

- A. The FCOIO shall be appointed by the Vice President for Research and Graduate Studies (VPRGS) after consultation with representatives of the University Committee on Graduate Studies (UCGS) and University Committee on Faculty Affairs (UCFA). The FCOIO shall serve at the pleasure of the VPRGS.
- B. The FCOIO shall report to the VPRGS. The FCOIO shall keep the Provost and President informed about the implementation of this Policy and about educational and other activities of his/her office.
- C. Should the FCOIO recuse himself/herself from FCOIO duties with regard to a particular conflict of interest, the VPRGS shall appoint a substitute after consultation with the chairperson of the Academic Subcommittee of the UCGS.

3. Evaluation of FCOIO

The VPRGS shall evaluate the performance of the FCOIO at intervals not to exceed five years pursuant to criteria established by the President, Provost, and VPRGS in consultation with the UCGS. The VPRGS shall submit the results of this evaluation to the President, the Provost, and the UCGS.

Health Assessment

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

Employment health assessments are only required where legally mandated, where work assignments will necessitate contact with potentially hazardous substances or will be physically intensive, or as otherwise determined necessary on an administrative basis. The assessment is arranged through the Office of the University Physician and MSU Occupational Health.

Occupational Health and Safety Rules and Regulations

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

All faculty and academic staff are required to comply with University, state and federal occupational health and safety rules and regulations. This requirement includes the appropriate use of personal protective equipment and participation in safety training. Occupational health and safety requirements specific to individual jobs are generally communicated through unit chairs or department heads, but any questions should be clarified by contacting the Office of Occupational Health or the Office of Environmental Health and Safety. Failure to comply with occupational health and safety rules and regulations may result in a direct assessment of regulatory fines, workers compensation costs (to units determined not to be in compliance), and/or in disciplinary action of faculty/academic staff who fail to meet the requirements.

International Hires

IV. ACADEMIC HUMAN RESOURCES POLICIES

All international faculty and academic staff are required to secure valid immigration status and work authorization before their expected start date, and maintain valid immigration status and work authorization throughout their employment. For the limited purpose of complying with federal export control regulations, international faculty and staff may be required to provide information about their citizenship status depending on the nature of the employment activities. If subject to federal export control regulations, international faculty or staff member may also be required to maintain full-time employment status at MSU, confirm that their permanent abode throughout the period of employment is in the U.S., and sign a confidentiality agreement concerning transfer of certain technical data. *See* 22 CFR 125.4. Prior to beginning work, all international employees should contact the Office of Export Control and Trade Sanctions at (517) 432-4499 or export@msu.edu to ensure compliance with export control requirements.

Identification Cards

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

All members of the faculty and academic staff are encouraged to obtain identification cards. The identification cards are useful for campus privileges. It is inappropriate to alter, falsify or misuse an MSU I. D. card.

To obtain an ID card, the faculty/academic staff member may visit the ID Office located in Room 170 International Center, 8:00-4:45 p.m., Monday through Friday. A government issued ID (driver license, passport, etc.) is necessary for processing.

Spouses of faculty and academic staff may obtain IDs entitling them to certain privileges. To obtain the spouse card, the employee and spouse must both appear in person, present the employee's Michigan State University ID, proof of marriage, and a government issued photo such as a driver's license or passport. There is no charge for the initial card.

Jury Duty

IV. ACADEMIC HUMAN RESOURCES POLICIES

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

Faculty and academic staff serving on jury duty who are absent from work for 80 continuous hours or less will receive their regular pay and are not required to submit proof of jury duty payment to the University. They must, however, notify the department chairperson/school director of the call to jury duty as soon as it is received.

Faculty and academic staff serving on jury duty who are absent from work for more than 80 continuous hours must notify the department chairperson/school director of the call to jury duty as soon as it is received and are required to submit proof of jury duty payment to the Payroll Office. The faculty/academic staff member will receive the difference between the pay received from the court and normal base pay.

In all cases, the faculty/academic staff member is expected to report for regular University duty when temporarily excused from attendance at court.

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

Mediation Policy

This policy was endorsed by the University Committee on Faculty Affairs and was issued by the Office of the Provost on May 1, 2017.

I. Policy Statement

Michigan State University recognizes the benefits of a method to resolving disputes in place of or prior to filing a grievance under the Faculty Grievance Policy (FGP). As such, the University will offer an alternative method of dispute resolution known as mediation. The purpose is to have a voluntary process aimed at solving specific issues independent of the FGP. Mediation shall not preclude parties from filing a grievance under the FGP.

II. Definitions

- a. **Mediation:** The procedure in which disputing parties enlist the assistance of a neutral third party to help them achieve a voluntary bilateral agreement that finally and definitively resolves all or portions of their dispute, without resorting to adversarial procedures such as grievance hearings or litigation. Conciliation and informal negotiation shall remain part of the normal grievance process. An agreement to mediate shall not constitute an obligation to reach a binding conclusion.
- b. **Mediation Agreement:** A written document that sets out the terms agreed to in mediation. When parties enter into a mediation agreement it becomes binding and constitutes "an established practice" for the parties directly involved. It is not precedent setting for anyone except the parties directly involved.
- c. **Mediator:** A neutral party from outside the University, supervised by the Faculty Grievance Official (FGO), whose responsibilities are to assist the parties in defining, clarifying, and communicating about the issues that appear to divide the parties and to aid the parties in generating, considering, and communicating with each other about possible bases for resolving the dispute. The Mediator may suggest ways of resolving the dispute but may not impose their own judgment on the issues for that of the parties. The Mediator does not act as an attorney or advocate for any party and any recommendations made by the Mediator do not constitute legal advice.

III. Eligibility

Participation in mediation is voluntary and shall be available to administrators, faculty and academic staff members subject to the FGP. Parties may choose mediation as an option or may be referred to mediation by university personnel. Any combination of parties covered by the FGP may enter into mediation and are not bound by the jurisdictional requirements of the FGP (e.g. disputes among faculty or within units may be mediated even if not subject to grievance).

IV. Scope

- a. Mediation can be used to resolve any workplace dispute except reappointment, promotion, tenure, discrimination, sexual harassment, serious misconduct or criminal activity, discharge, or any other issues covered by state and federal law.
- b. Parties to mediation cannot enter into an agreement that would exceed the scope of their own authority without approval from the required authorities.

V. Mediation Process

- a. Persons interested in mediation should inquire about the suitability of mediation for their circumstances by sending an email to the Faculty Grievance and Dispute Resolution Office (fgo@msu.edu) identifying the parties involved, the nature of the circumstances surrounding the dispute and their perception of the issues.
- b. Eligible parties seeking mediation will then discuss their complaint in a conference with the FGO so that the issues involved can be better understood. The FGO will also discuss the matter with the secondary individual(s) identified in the Mediation Request Form, as well as pertinent administrators to gain a more complete understanding of the issues and to determine the willingness of parties to participate in the mediation process.
- c. After these discussions and a full review of the situation the FGO will determine if the parties are eligible for mediation based on Section IV.a of this policy. This review will be completed in writing and distributed to the appropriate parties within 14 days from the completion of the discussions. If the FGO finds the parties are not eligible for mediation then the FGO will advise the parties on other steps to resolve the issue(s).
- d. The review will be presented to the appropriate administrator by the FGO for discussion. The administrator then must approve any decision to move forward and agree to the scope and budget for completing the mediation process. It is recognized that payment for approved mediation will come from the college, department, school or unit authorizing the process.
- e. The Mediator will be selected by the FGO. Parties shall be presented with the proposed Mediator's name and credentials to determine if any conflicts of interest exist and provide an opportunity for parties to raise objections. The FGO will work with any objecting parties to find a mediator agreeable to all participants.
- f. Upon initiation of the formal mediation process all involved parties shall sign a statement agreeing to adhere to terms of this Mediation Policy.
- g. Mediation Session - The following shall apply to the mediation sessions:
 - i. The Mediator shall act as a facilitator or resource for resolution and shall use their best efforts to assist the parties in reaching a mutually acceptable settlement. The Mediator does not have the authority to decide any issue for the parties, but will attempt to facilitate the voluntary resolution of the dispute by the parties. The Mediator is authorized to conduct joint and separate meetings and/or communications with the parties and may also offer suggestions to assist the parties in achieving a settlement.
 - ii. It is expected that all parties will participate in the proceedings to the fullest extent, expeditiously, and in good faith with the intention to settle, if at all possible.
 - iii. The parties involved in mediation are responsible for negotiating a settlement acceptable to them. The Mediator, as a facilitator of settlement, will use every effort to facilitate the negotiations of the parties but will not impose a settlement upon the parties.
 - iv. Only persons directly involved in the mediation will attend the proceedings. There will be no non-party witnesses heard at the mediation, and representatives, advisors and/or attorneys will not be permitted to attend.
 - v. Disclosure

1. The mediation process can be successful only if all parties make full and complete disclosure of all information pertinent to the resolution of the issues.

2. If either party fails to make a full and complete disclosure of all relevant information and documents, then any agreement that may be reached based on the incomplete set of materials may be set aside by the FGO and/or the pertinent department or unit administrator.

vi. Termination of Mediation shall occur under any of the following conditions:

1. A settlement is reached between the parties resulting in a signed agreement and supplemental documents from the Faculty Grievance and Dispute Resolution Office recognizing the settlement.

2. At the discretion of the Mediator or parties directly involved in the form of a written statement of termination. It will not be necessary for the Mediator or participant to provide a reason for the termination of mediation and such a decision will not be held against the party or parties in any way. In the case of the termination of mediation by the Mediator or parties involved, no record of a failed mediation process will be produced.

3. At the discretion of the Faculty Grievance Official or authorizing administrator, by providing a written statement to the parties.

h. The parties may jointly request a new mediation process with a different mediator if the parties believe that another attempt with a different mediator may result in successful mediation. If a second mediation is unsuccessful, no further mediation attempts shall be permitted.

i. In the event that the Mediator terminates mediation and the parties are interested in continuing the process, the FGO will conduct another assessment to determine the viability of another attempt at mediation.

j. A mediation agreement that has been enacted shall be binding on the parties to the agreement and a breach of such an agreement may result in administrative action (e.g. discipline, etc.).

VI. Confidentiality

All records and information related to mediation proceedings under the Mediation Policy (both formal and informal) shall be kept confidential to the degree permitted by law. The FGO, Mediator, parties to the mediation, and other relevant administrators shall respect the confidentiality of information and records and the privacy of all parties whose interests are affected by mediation. The final mediation agreement may be disclosed to the extent necessary to enforce the settlement reached.

VII. Other Proceedings

The Mediator shall not be called as a witness in any subsequent University proceedings. Additionally, the actions or discussions that occurred during mediation shall not be referred to or used against a party in subsequent University proceedings. Parties to mediation shall waive the right to subpoena mediation records from the Mediator.

Payroll Procedures

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

1. **SOCIAL SECURITY NUMBER.** Social security numbers must be verified by the Payroll Office, 350 Administration Building, prior to the first pay date. Verification may be completed by presenting the social security card to the Payroll Office or by sending a photocopy to that office.
2. **EMPLOYEE TAX WITHHOLDING CERTIFICATES.** Various forms (W-4, MI-W-4, City Tax Withholding) authorize the University to recognize the appropriate exemptions when calculating Federal, State of Michigan and local withholding taxes.

New faculty/academic staff members should at the same time complete the appropriate forms in the Human Resources office to participate in such programs as employee-paid life, health care coverage, accidental death and dismemberment, and base and supplemental retirement benefits. All benefit programs are described briefly in the Faculty/Academic Staff Benefit and Retirement Programs section of this handbook. Additional information is available from Human Resources, 1407 S. Harrison Rd., Suite 110.

Receipt of Qualifying Degree as a Condition of Appointment in the Tenure System

Last updated: 9/5/2012

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was issued by the Office of the Provost with an effective date of September 1, 1980 and revised on September 5, 2012.

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

This policy is consistent with Michigan State University's on-going quest to improve its status and quality as a major land-grant, AAU University

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

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

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

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

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

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

Granting Tenure

Last updated: 4/24/2009

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on May 15, 1952 and amended on June 11, 1993 and on April 24, 2009.

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

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

GRANTING TENURE

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

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

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

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

An *associate professor*¹ who has not served previously at Michigan State University usually is appointed in the tenure system for a probationary period of four years. In some cases, upon the recommendation of the unit administrator(s), dean(s), and with the prior approval of the Provost and President, the probationary period may vary in length from two to five years. If an *associate professor* is reappointed, tenure is granted. Individuals appointed at the rank of *associate professor* without tenure have the option of requesting reappointment at any point² prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the time specified upon appointment.

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

An *assistant professor*¹ who has not served previously at Michigan State University is appointed initially in the tenure system for a probationary period of four years and may be reappointed for an additional probationary period of three years. If at any time during these two probationary periods an *assistant professor* is promoted to the rank of *associate professor*, tenure is granted. If not promoted to the rank of associate professor at the conclusion of the second probationary period of three years, the individual is ineligible for an additional reappointment unless a special extension is approved (see below). Individuals appointed at the rank of *assistant professor* without tenure have the option of requesting promotion to associate professor with tenure at any point² prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the normal time.

Extensions in the probationary appointment periods for all faculty appointed in the tenure system require approval of the Chairperson/Director, the Dean, the Provost (or designee) and the University Committee on Faculty Tenure³ Extensions in probationary appointment periods are not interpretations of or deviations from the rules of tenure under section 4.8.5. of the *Bylaws for Academic Governance*.

Footnotes:

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

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

³ Information on extensions of probationary appointments should originate in the primary academic unit; such information may also be obtained from the chairperson of the University Committee on Faculty Tenure, the department chairperson, the school director, the dean, or the Office of the Provost. See section on [Extending the Reappointment/Promotion/Tenure Review Timeline](#).

Operating Principles of the Tenure System

Last updated: 4/24/2009

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was revised by the Board of Trustees on May 18, 2007 and on April 24, 2009.

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

Footnote :

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

Amendments to the Tenure Rules

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

Amendments to these tenure rules shall require the approval of the faculty and the Board of Trustees.

Extending the Reappointment/Promotion/Tenure Review Timeline (Extending the Tenure Clock)

Last updated: 6/29/2022

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following statement was endorsed by the University Committee on Faculty Tenure; it was issued by the Office of the Provost on June 1, 1990 and revised on April 24, 1996, March 24, 1999, January 10, 2001, April 13, 2005, November 28, 2012, January 16, 2013, December 9, 2015, and April 16, 2020.

Automatic Extensions

The tenure system probationary appointment for the next reappointment/promotion/tenure review is extended automatically (i.e., no faculty request or UCFT review needed) for one year for the following reasons:

1. Leaves of absence with or without pay that are one semester to twelve months.
2. Changes in appointment to 50% time or less for one year.
3. Immigration/visa status that does not permit the award of tenure for candidates who have been recommended for tenure.
4. An extension recommended as an outcome of a hearing and/or appeal conducted pursuant to the Faculty Grievance Policy.
5. The impact of COVID-19 for any probationary faculty member who: a) was in the tenure system at MSU as of Spring 2020 scheduled for a reappointment or tenure review, or b) has an employment start date in the tenure system from Summer 2020 through August 15, 2023.

Extensions Granted Automatically Upon Faculty Request

In addition to the automatic extensions (1-5) described above, faculty can request an extension of the reappointment/promotion/tenure review for the birth or adoption of a child. Extensions for this reason are limited to two separate one-year extensions during the entire probationary period. The request for an automatic one-year extension for the birth or adoption of a child must be submitted within two years of the birth/adoption, but no later than the due date for the submission to the department/school of the dossier for the next reappointment/promotion/tenure review.

Note: Receipt of an automatic extension for any of the reasons above does not preclude consideration for reappointment or promotion with tenure at the normal time. However, if the extension for the first probationary appointment is waived by the faculty member, the extension does not carry over to the second probationary appointment (except in the case of the impact of the COVID-19 one-year automatic extension). In addition, a faculty member is bound to the outcome of the reappointment review if unsuccessful.

Extensions Reviewed by the University Committee on Faculty Tenure

Additional extensions of the probationary appointment may be requested from the University Committee on Faculty Tenure (UCFT) for reasons related to childbirth, adoption, the care of an ill and/or disabled child, spouse, or parent; personal illness; to receive prestigious awards, fellowships, and/or special assignment opportunities; or other such serious constraints.

In such cases, UCFT considers evidence bearing on the question of whether the circumstances justify exceptions to the standard procedures governing the tenure system. UCFT's role is not to evaluate the substantive issues recommended at the departmental or unit level, but to determine whether, given the

circumstances of each case, the proposed decisions are consistent with the general interest of preserving the integrity of the tenure system.

To request an extension of the probationary appointment, the department chair or unit administrator must submit a memorandum to the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs that includes the following information:

1. the specific reason delineated in this policy that justifies an exception to the standard procedures governing the tenure system;
2. clear explanation of the impact of the specified condition on the normal activities of the faculty member;
3. what is expected to be achieved at the end of the requested extension, including the prospects for success, and a description of the resources and/or proposed changes that will be made to facilitate success;
4. a current curriculum vitae and a one-page summary of prior assignments in teaching, research, outreach, and administrative duties during the previous three years for the faculty member seeking the extension;
5. endorsement and signatures of the faculty member, department chair or unit administrator, and dean.

Additionally, the department chair or unit administrator must provide written documentation from the department or school peer review committee that they reviewed the extension request and had an opportunity to render advice as appropriate. The committee's approval is not necessary.

Requests endorsed by the Office of the Provost will be considered by UCFT according to the standards specified herein.

[Tenure Clock Extension FAQs related to COVID-19](#)

Principles of Faculty Reassignment (Position Elimination)

Last updated: 4/27/1994

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This statement was approved by the University Committee on Faculty Tenure on April 27, 1994.

The intention of this document is to provide procedural guidance to the Provost if it becomes necessary to consider the dissolution or curtailment of a department, college or other academic unit in which tenured faculty members are primarily assigned. It is taken as a given that tenure at Michigan State University resides in the University and tenured faculty have "tenure in the university."

Principle One: Faculty rights under the tenure system shall be preserved in reassignments. These rights include the entitlement of faculty to engage in teaching, research, service and full participation in governance in accordance with the custom of the receiving unit. Reassignment would require appointment in an academic unit rather than a dean's office, institute or non-academic unit. However, reassignment to a dean's office, institute or non-academic unit may occur, generally, by mutual agreement and under conditions amicable to the reassignee. The reassignee shall have a level of professional responsibility similar to that borne by faculty members already in the receiving unit. Ordinarily there is a variation in duties across faculty within a unit, and reassigned faculty are expected to fall within the existing range. Rank, salary and benefits of the reassigned faculty shall be fully maintained.

Principle Two: The Provost must in all cases of reassignment negotiate in good faith with the faculty member and the potential receiving unit to seek arrangements which are amicable and beneficial to all. The Provost and the administrators of the outgoing department/school or college shall assist faculty members in identifying potential receiving department/schools or colleges in the University. Throughout the process of reassignment, faculty rights under the tenure system shall be preserved.

Principle Three: Every potential receiving unit shall evaluate each potentially reassigned faculty member for appointment according to the applicable procedures used for appointment recommendations set forth in University policies and procedures. The Provost shall review documentation that demonstrates that the receiving unit has implemented the principle of faculty participation through consultation, evaluation, and final recommendation.

Principle Four: In evaluating affected tenured faculty members for assignment to a receiving academic unit, both the Provost and the administrators of the former and potential receiving units shall make a good faith effort to negotiate the reassignment. Administrators in the potential receiving units shall urge their faculty to consider especially carefully the broader social good that derives from having tenure in the university in cases in which reassignment results from dissolution or curtailment of a department or school.

Principle Five: The Provost shall receive in writing any compromise in assignment, responsibilities or duties agreed to by the faculty member and receiving unit(s).

Principle Six: If the assignment to a unit by the Provost entails duties which compromise Principle One, above, the Provost must seek to assure that it is with the full, voluntary consent of the reassignee and the receiving unit. (For example it would be appropriate to reassign a tenured faculty member to a non-college unit if the assignee and the unit agree. A reassignee may also be reassigned into two or more units if both the reassignee and the units agree).

Principle Seven: Should previous attempts at good faith negotiations yield no resolution, the Provost may impose a 30 day deadline for mutual, voluntary agreement on a reassignment. If units and faculty members

are unable, after the 30-day period, to achieve a resolution regarding appointments, assignments, salary, rank, responsibilities, or duties, the Provost shall impose a solution.

Principle Eight: While nothing shall preclude shifts between units based on voluntary agreement between all relevant parties, the Provost and the University have no special responsibility to reassign faculty who desire a unit change for reasons other than the dissolution or curtailment of their academic unit.

Post-Tenure Review

Last updated: 12/18/2002

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This statement was issued by the Office of the Provost on December 18, 2002.

Michigan State University has not adopted a distinct separate policy on the review of faculty following the award of tenure. Post-tenure review is implemented through several existing policies and procedures (contained in the Faculty Handbook), including a clarifying interpretation by the University Committee on Faculty Tenure on the meaning of the term "incompetence" in the disciplinary and dismissal policy. Performance is monitored through the use of annual written performance evaluations as required by the policy on "Faculty Review." Work performance, as determined in such reviews, is to be reflected in annual merit salary adjustments and as a basis for advice and suggestions for improvement. Although not triggered by a fixed number of years of low performance, discipline in a variety of forms may be invoked under the "Discipline and Dismissal of Tenured Faculty for Cause" policy. In more serious cases, dismissal can be invoked under the "Discipline and Dismissal of Tenured Faculty for Cause" policy. This procedure involves notice and a formal hearing involving review by peers. Interpretation of the term "incompetence" by the University Committee on Faculty Tenure includes an expectation for professional development support and review by peers before disciplinary or dismissal action is contemplated. More information is available on the history of post-tenure review deliberations.

Faculty Mentoring Policy

Last updated: 3/1/2011

IV. ACADEMIC HUMAN RESOURCES POLICIES

This policy was issued by the Office of the Provost on March 1, 2011 (to be effective Fall semester 2011); it reflects advice by the Faculty Council and the University Committee on Faculty Affairs

Policy

Each college shall implement a formal mentoring program by August 16, 2011. As a part of the college program, colleges may also require that each department or school develop its own unit level mentoring program. Effective mentoring is important to enhancing academic excellence and building a progressively stronger faculty composed of members who meet continuously higher standards and are competitive nationally and internationally. Mentoring programs will help the University achieve its goals for a high-quality faculty, diversity, inclusive excellence, and a respectful, positive work environment in which all members of the University community can thrive. While the responsibility for career development and success is ultimately that of the individual faculty member, opportunity, mentoring and the degree of environmental support that is available can affect success.

There are many forms of mentoring programs and no single model will meet the needs of all units or individuals. Each college (and/or unit) should develop a program that is most relevant to its needs based upon evidence based best practices. The practices and procedures in colleges may vary; however, all college mentoring programs must incorporate, at a minimum, the principles included below.

Principles

1. For faculty members with joint appointments, there should be one mentoring plan for the faculty member, coordinated among the units, with leadership from the faculty member's lead unit.
2. Faculty members need different kinds of mentoring at different stages of their career. Initially, at minimum, colleges are expected to provide a mentoring program for pre-tenure, tenure system faculty, and build upon the program as capacity allows. This might include, for example, the addition of associate professors, HP faculty, or fixed term faculty for whom there is a long-term commitment.
3. Colleges, units and mentors should demonstrate sensitivity to potentially different challenges faced by diverse faculty including women, persons of color, and other facets of identity.
4. Conflicts of interest should be minimized, confidentiality protected, and all faculty members provided an environment in which they can address concerns without fear of retribution.
5. A faculty member may choose not to have a mentor.
6. Mentoring policies should be clearly communicated to all faculty members, and efforts must be made to ensure that there is clarity of both expectations and roles for all parties.
7. Mentoring excellence will be considered in the annual review of faculty.
8. Formative evaluation shall be incorporated into the design of the mentoring program to maximize benefit to each individual being mentored.

9. Colleges shall assess the effectiveness of their mentoring program on a cycle not to exceed five years.

[Frequently Asked Questions \(FAQ\)](#)

Faculty Review

Last updated: 3/3/2003

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on February 11, 1997 (to be effective Fall semester 1997) and revised on March 3, 2003; it reflects advice by the Faculty Council and the University Committee on Faculty Affairs.

All units must have procedures for written evaluation of tenure system faculty at all ranks to support the annual merit process and to provide a basis for a clear statement of performance expectations and accomplishments. It is recognized that provisions and practices in units may vary; however, all evaluation procedures must incorporate, at the minimum, the principles included in this model policy for regular faculty review, and must be applied uniformly to all faculty in the unit.

I. Principles

While some variation may occur in the approach to reviews, the following principles as implemented by unit procedures are to be followed by unit administrators (i.e., Deans, Chairpersons and Directors) and faculty. In the case of faculty with joint appointments, a lead unit administrator shall be designated. The process should be clearly defined by the bylaws or established personnel policies and procedures of each academic unit.

- Each tenure system faculty shall be evaluated on an annual basis and informed in writing of the results of his/her review by the unit administrator.
- Each unit shall have clearly formulated and relevant written performance criteria and shall provide these at the time of appointment, and subsequently as necessary, to all faculty to clarify expectations.
- Faculty shall be informed of all factors used for evaluation, the evaluation of their performance on each of these factors and the relationship between their performance and decisions on merit salary adjustments and, if appropriate, on reappointment, promotion and tenure. Faculty are entitled to have all their assigned duties given weight in the evaluation.
- These annual assessments of faculty reviews shall be reflected in recommendations to the Provost's Office regarding reappointment, tenure, and promotion.

II. Guidelines for Implementation

- Units should initiate the annual review process early enough so that the full process, including feedback to faculty, may be completed before the beginning of the fall semester.
- Each faculty member shall submit a written summary of activities for the appropriate period of time to the unit administrator in a timely manner prior to the review. These materials will be shared with the faculty in accordance with unit bylaws and procedures.
- If unit bylaws or procedures provide for performance evaluation by peer review committees, unit administrators shall rely on the advice of this designated group, in addition to their own judgment.
- Unit administrators or their designees, no later than 3 months after completion of the evaluation, shall provide to the faculty member a written evaluation of her/his overall performance. Whenever appropriate, such evaluations shall contain constructive and explicit recommendations and clarify expectations of what is needed to make additional scholarly progress in the tenure system.
- If, after receiving the written review, the faculty member disagrees with its content or chooses to provide additional documentation or comment, the faculty member shall have an opportunity to respond to the review. Any additional written faculty comment and/or documentation which is submitted within one month of receipt of the written review shall become part of the documentation for the review.

- The full documentation for this written review, including the faculty member's response, shall be placed in the faculty member's unit personnel file.
- Meetings between faculty members and unit administrators are encouraged prior to the written summary to provide feedback about expectations and evaluation. Each faculty member shall have the right to meet in person with the unit administrator or designee after the written review is received.

Modified Duties Policy for Tenure System and Health Programs Faculty with New Dependent Children

Last updated: 4/1/2011

IV. ACADEMIC HUMAN RESOURCES POLICIES

This policy was issued by the Office of the Provost on April 1, 2011 (to be effective Fall semester 2011); it reflects advice by the Faculty Council and the University Committee on Faculty Affairs

Faculty and Academic Staff Affairs Policy¹

This policy addresses the balance of commitments of family and professional work that arise when a tenure system or Health Programs faculty member is responsible for teaching² and a new child enters the home. Such faculty are permitted to request a modified workload and flexible schedule for up to one semester, within twelve months after the child enters the home.

Upon request, tenure system and Health Programs faculty members who have a new child (or new children) in the home under the age of 6 and not attending school full-time may be granted a period of modified duties for up to one semester without a reduction in effort and salary. Eligibility for modified duties is in addition to any paid short-term disability and/or parental leaves received by the faculty member. If approved, the department/school (and/or College) is responsible for arranging for coverage of direct teaching responsibilities for the period of modified duties.

Description of Modified Duties

The period of modified duties is not a leave of absence. Faculty members with modified duties status will generally be relieved of teaching but will be expected to be fully employed by fulfilling their other professional responsibilities that can be scheduled around the child's needs at a higher percentage of effort (e.g. preparation of research proposals, papers, and course materials; supervision of graduate student research; and academic service.³) A written statement of all duties and related expectations must be agreed upon by both the department chairperson/school director and faculty member. For faculty members with significant direct clinical responsibilities, limited teaching obligations, or for whom teaching is integral to the provision of clinical care, other modifications appropriate to the circumstances may be negotiated between the faculty member and the department chairperson/school director.

Because the period of modified duties is not a leave, it is not subject to any requirement for payback. Modification of duties must not result in additional duties during the subsequent semester (i.e., the faculty member may not be asked to make up the released teaching before or after the period of modified duties).

A period of modified duties does not automatically change the tenure system probationary appointment end date. The probationary appointment end date may be extended under the provisions of the policy on Extending the Reappointment/Promotion/Tenure Review Timeline ([Extending the Tenure Clock](#)).

Expectations During Modified Duties

During the period of modified duties, faculty members will be expected to remain available to their colleagues and students, including continuation of responsibilities for which the faculty member is uniquely qualified, such as advising doctoral candidates. The period of modified duties cannot be used for extensive professional travel or other increased professional activities (including consulting) that do not meet the goals of the policy. (Absences from the community require any usual approvals that may be mandated by the department/school and college.)

Duration of Modified Duties

The maximum period for which modified duties will be assigned is up to one semester, or an equivalent amount of time for those faculty members whose responsibilities are not tied directly to teaching on the academic calendar. The period of modified duties must occur in the time period beginning on the date the child first enters the home and ending the day immediately prior to this anniversary date. This limit applies even if more than one child has entered the home (as in the case of a multiple birth or the simultaneous adoption of more than one child). If both parents are in the same department, they would generally be expected to request modified duties in different semesters.

Procedures

Faculty members must submit a written request for modified duties as early as possible so the department /school can plan appropriately. The request should be made no later than three months (earlier if possible) in advance of the affected semester or activities.

This will allow time for the department/school to identify alternate faculty to teach the affected courses, if relevant, or to make arrangements for coverage of other duties.

The request must include the following information:

- Statement that the faculty member is the primary, or a co-equal caregiver
- Date the child entered (or is estimated to enter) the home
- Requested period of modified duties
- Reason(s) for modified duties
- A plan of proposed activities, developed in consultation with the department chairperson/school director. (Once approved, modified duties may be changed only with the written agreement of the faculty member and the department chairperson/school director)

Policy implementation and funding are the responsibility of the department/school and/or college. While there is an expectation that modified duty requests will be granted, the policy does not create an entitlement if there are legitimate business reasons for denying a faculty member's request. The request must be approved by the department chairperson/school director and dean. If the department chairperson/school director does not support the request, reasons for denial shall be provided in writing and the request shall be automatically forwarded to the dean and the Associate Provost for Faculty and Academic Staff Affairs for further review and decision.

[Application for Modified Duties](#)

¹Applies to situations including the birth of a child, adoption of a child, temporary custody of a child and foster care.

²Unlike most responsibilities, teaching responsibilities are held to a rigid schedule, whereas other responsibilities (i.e., advising, research) might provide more flexibility.

³If academic service expectations require frequent on-campus attendance, modifications may be negotiated as well.

Appointment, Reappointment, Tenure, and Promotion Recommendations

Last updated: Spring, 2023

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The Office of the Provost sends this policy bi-annually to deans, directors, and chairpersons to assist them in reappointment, promotion and tenure decisions. During its annual review, the University Committee on Faculty Affairs and the University Committee on Faculty Tenure can suggest changes.

[View a PDF of the Spring 2023 Memorandum from Provost Jeitschko.](#)

[View recommendations for writing and evaluating diversity, equity, and inclusion \(DEI\) in the faculty annual review and reappointment, promotion, and tenure \(RPT\) process.](#)

[View suggested implementation processes.](#)

[View guidance from the Office of the Provost on implementing DEI in RPT processes.](#)

The Nature of Faculty

MSU tenure-system faculty create, invent, produce, discover, express, and reveal elements about ourselves, our world, and our place in that world. Their work may examine the minutia of a bacterial cell or the complex significance of an artistic performance. The nature of this work allows us to understand, contextualize, and improve the human condition or may be abstracted from utility and exist solely as advanced knowledge. In the end, the diverse products of their work may be lauded by many or known by only a few, appreciated for their audacity or cited for their wisdom, and appear in books or papers, exhibitions, or productions.

MSU non-tenure-system faculty teach, advise, advance, and work on independent research, scholarship, and pedagogy that provide new insights that are conveyed in myriad ways. Our librarians, health professionals, academic specialists, and academic faculty in the Facility for Rare Isotope Beams contribute in specialized ways to scholarly life and contribute to the intellectual fabric of our community of scholarship.

While there is formalized nomenclature associated with academic tracks and the nature of work, at their core, MSU faculty are catalysts of human striving in pursuit of new knowledge and enduring truths, teaching and enabling learning for a new generation of students, and linking real world praxis to our cycle of understanding. Faculty are valued for their work and themselves. Faculty are the cornerstone of a great university.

Philosophy of Tenure

The conceit of the tenure system is that those who are able to create, fashion, and share new knowledge are also those who have earned special freedoms. Indeed, tenure is a concept that places academics in a unique class, allowing scholars the freedom to explore and express themselves and their work in ways that could be antithetical to present knowledge. This premise has an important corollary: those who are best at producing new work are also best able to teach what is known and to use their expertise to enable learning at foundational depth and on the leading edge of emerging knowledge. Research universities can only be called great when their creative and learning environments are in full resonance and each is valued as a fundamental aspect of what enables tenure. Knowing and learning are the outputs of those who earn this special status within the system.

MSU tenure-system faculty are also called to the higher purpose of a land-grant institution in which the service, outreach, or engagement component is weighted in equal measure to the pursuit and teaching of knowledge. Our land-grant mission is the leavening that allows MSU to continually rise, and with it the State of Michigan and our national and global partners and stakeholders.

Thus, the MSU philosophy on tenure is a frame for our aspirations to achieve the highest standards of research and teaching, and of service and outreach. This philosophy guides the evolution of our tenure and promotion systems across all units of the University over time. The value proposition of these systems is that they support all who strive to achieve the highest standards so that society will learn and become better as a result.

Tenure, and the associated promotion processes for all faculty, represent systems determined by the people who have created them. They have established academic winners measured, somewhat ironically, against the metrics of those who have gone before. This irony plays out further in that the cultural antagonist to a great institution is homophily. To resist this homophily, systems must be developed that enable scholarship and teaching to be viewed through the widest possible lens by the widest group of narrators. When tenure and promotion systems become regressive, scholarship is reduced to attributes of existing knowledge legitimized by those who have long held privilege. They then fail to imagine new possibilities in whose interest these systems were formulated (at best) and exclude new entrants into the systems who are most different from those for whom the systems were originally created (at worst). The intention of this memo is to invite the units responsible for tenure and promotion recommendations in the University community to engage in a new kind of thinking that establishes and values a new level of creation, invention, production, discovery, expression, and revelation about ourselves, our world, and our place in that world.

Our philosophy of tenure and shared values for the promotion of faculty requires regular evaluation of standards for transitions and retention as well as indicators for assessment at all parts of the pathway. In its purest form, tenure represents one milestone along a trajectory of academic achievement, and not a destination. In as much as accomplishments that advance the effectiveness, climate, and culture of the unit, college, university, and discipline are attributes for a positive outcome, significant or repeated behaviors that are inconsistent with these values are reasons for institutional interdiction at any point in the lifetime of a tenure-system/tenured faculty. Tenure can never be used as a shield to hide or permit behaviors unbecoming the title *faculty*. Moreover, the environment in which tenure is earned is therefore tested as part of the system as well. Thus, the standards we set for earning tenure are a reflection of the University *writ large*, a measure of the accomplishments of a person, and a measure of the success of all the tenured or promoted faculty as stewards of this process.

Additionally, our tenure structure holds levels of accountability or duties. The first duty is of the Institution to establish clear values upon which policy rests. If we are what we value, we must be able to measure that value and use those values in our decisions. Thus, the aspirations of each decision should rest on all the bedrocks of our purpose â

research, teaching, service, outreach, and engagement. The second duty for all members of the MSU community engaged in the recruitment and development of faculty is to review all of the documents associated with tenure and promotion. Members of the college leadership are called upon to engage in meaningful guidance and to establish a posture that is expectant of success, even when the new scholarship emerges at angles orthogonal to work that may have gone before. The test of any department lies in the success of its recruitment, tenure, and promotion process, not in the exclusionary practices of winnowing academics. The final duty rests with the individual to shape and nurture the next generation of knowledge. This is a high bar â work, ideas, and products are concretized in papers, books, performance, or sculpture, but also ephemeral in the development of another scholar in the profession. The core of tenure is earned by the individual, the process is enabled by the College, and the Institution, *writ large*, bestows the final outcome.

There are additional duties of the individual to the institution that are associated with this process and they include a fidelity to the highest standards of faculty behavior, the enablement of a culture and climate that is respectful of all individuals and takes personal responsibility for behavior and the associated climate that is created. Behaviors unbecoming a member of the faculty erode confidence in the individual. Thus, it is our duty as a member of the MSU faculty to be accountable for our actions, to hear critique, to be self-reflective, and to come to the aid of those who are subject to the negative impacts that result from behaviors unbecoming. The consequence of inaction is born out in structural corrosion and results in a climate where the best work, best teaching, and best selves cannot be accomplished or realized. Thus, at each point of possible interdiction, we must work to enable individuals who believe in personal standards and accountability to the profession, to the Institution, and to those within their unit. These duties are tested daily, and failure may be self-evident and correctable, or may need to be corrected by outside entities. Behaviors that erode an individual, corrode a culture, and etch themselves onto the Institution, will eventually destroy the academy. Faculty members of MSU have a particular duty to hold themselves accountable. Institutional leaders have the duty to enumerate and hold the faculty accountable. These duties are within the purview of the reviews that occur in the context of appointment, annual reviews, reappointment, tenure, and promotion.

Indeed, the statement on Academic Freedom and Responsibility within the *Faculty Rights and Responsibilities Policy* [\[1\]](#) in the Faculty Handbook emphasizes that academic freedom and responsibility are intertwined: “Michigan State University endorses academic freedom and responsibility as essential to attainment of the University's goal of the unfettered search for knowledge and its free exposition. Academic freedom and responsibility are fundamental characteristics of the University environment and are always closely interwoven and at times indistinguishable.”

What follows is a framework that is sent annually to all tenure-system faculty, deans, school directors, and department chairpersons to assist them in creating the environment for success in which reappointment, promotion, and tenure work is done and decisions are made. Because recommendations for reappointment, promotion, and tenure (RPT) are among the most important decisions made by great universities, clarity and transparency are essential components of an effective process. The published policies, procedures, and criteria for reappointment, promotion, and tenure provide further guidance [\[2\]](#).

Just as this memorandum is shared annually to communicate university-level expectations and procedures, each college will review the University statement and ensure alignment of their systems to enable a positive outcome. This policy is provided to the University Committee on Faculty Tenure, who suggest changes that ensure a shared view of this value proposition.

Guiding Policies

Section 1: University-Level Standards

- 1. Reappointment to a Second Probationary Appointment** – Each reappointment recommendation should be based on clear evidence that a record is being established of progress toward becoming an expert of national and/or international stature, a solid teacher, and a contributing member of the unit, college, University, and/or discipline.
- 2. Reappointment with Award of Tenure** – Each tenure recommendation should be based on a clear record of sustained, outstanding achievements in scholarship, teaching, and service [\[3\]](#) across the mission, consistent with performance levels expected at peer universities. The record should provide a basis in actual performance for predicting capacity to become an expert of national and/or international stature and long-term, high-quality professional achievement and University service.
 - For the faculty member appointed initially as associate professor on a probationary basis in the tenure system who has established such a record, the tenure recommendation is effective upon

reappointment after one probationary appointment period.

3. **Extensions to the Tenure Clock** â Some candidates for reappointment, promotion, and tenure will have received an extension of the tenure clock by virtue of University policy. Under these circumstances, the criteria for reappointment, promotion, and tenure are the same as is true for the faculty member who has not received a tenure clock extension.
4. **Promotion from Assistant Professor to Associate Professor with the Award of Tenure** â A recommendation for promotion from assistant professor to associate professor includes the award of tenure, and should be based on several years of sustained, outstanding achievements in scholarship, teaching, and service across the mission, consistent with performance levels expected for promotion to associate professor at peer universities. A reasonably long period in rank before promotion is usually necessary to provide a basis in actual performance for predicting capacity to become an expert of national and/or international stature and long-term, high-quality professional achievement and University service.
5. **Promotion to Professor** â In as much as the University invests in an individual at the time of tenure, the measure of promotion to âfullâ is the investment the individual has made in the University. As such, a recommendation for promotion from associate professor to professor in the tenure system should be based on several years of sustained, outstanding achievements in scholarship and education across the mission, consistent with performance levels expected at peer universities. Moreover, it is an expectation that individuals should provide leadership within the department, mentorship to junior faculty and graduate students, teaching of undergraduates, service on committees, and contribute to a flourishing intellectual life for those in the broader discipline, unit, college, and Institution. A reasonably long period in rank before promotion is usually necessary to provide a basis in actual performance to permit endorsement of the individual as an expert of national and international stature and to predict continuous, long-term, high-quality professional achievement and University service. As a tenured faculty member, a professor must not only demonstrate disciplinary excellence, but also demonstrate commitment and effectiveness in larger institutional missions such as improving culture, inclusiveness, and equity both in the academy but also more broadly in society. Innovation brought to teaching and interdisciplinary team building that enables broader groups of people from the widest possible disciplinary or college perspective are also part of a move from individual work to being a university professor. Such a responsibility is even greater for those who earn promotion to full professor.
6. **The Reflective Essay:** Each candidate for reappointment, tenure, and/or promotion must include a maximum five-page reflective essay about accomplishments over the reporting period as a part of the dossier. This essay should highlight how accomplishments in research/creative activities, teaching, and service are significant and impactful and have contributed to the mission of Michigan State University. The Reflective Essay should not be a narrative of the individualâs CV, but rather provide information on how previous and current accomplishments represent excellence.
7. **Diversity, Equity, and Inclusion (DEI) Efforts Related to Research/Scholarship/Creative /Performative Activities, Teaching Outreach, and Service:** Because DEI are core values of Michigan State University, candidates should detail their DEI efforts, providing evidence of their activities and accomplishments in the context of research/creative activities, teaching, service, outreach, and engagement. Faculty should include evidence of their activities and accomplishments in DEI, as appropriate, when detailing information on relevant research/creative activities, teaching, and service in appropriate sections of their dossier. Faculty should describe how these efforts are interwoven and enhance all other areas of faculty accomplishment. Whenever applicable, faculty contributions and commitment to learning and engaging in DEI efforts will be recognized and considered in the RPT process.

8. **Core Values Related to Conduct:** Accomplishments that advance the effectiveness, climate, and culture of the unit, college, and University, consistent with University core values, must be considered in these decisions, as must significant or repeated behaviors that are inconsistent with these values.

Section 2: The Focus of the Office of the Provost's Review

The Office of the Provost review of each recommendation concentrates primarily on the evidence of the individual's effectiveness in the performance of academic duties. Within this context, faculty must demonstrate substantive and sustainable achievement in research, teaching, and service, and the infusion of their scholarship into outreach and engagement efforts, where applicable. Assessment of faculty performance should recognize the importance of both research and teaching and learning, and their extension beyond the borders of the campus as part of the outreach dimension. Assessment should take into account the quality of outcomes as well as their quantity; it should also acknowledge the creativity of faculty effort and its impact on students, on others the University serves, and on the field(s) in which the faculty member works. It is expected that multiple methods for assessing performance be used in assessing research, teaching, and service. For example, the sole use of student evaluations of teaching is inappropriate as a means for assessing teaching effectiveness. Among other concerns, research has demonstrated bias in student evaluations of teaching relative to underrepresented minorities and women.

In many cases, faculty demonstrate excellence through individual scholarly activities. Collaborative scholarly efforts ^[4], cross-disciplinary activities, and the integration of scholarship into the creation, application, and dissemination of knowledge are also recognized as relevant dimensions of faculty performance. Excellence in service at the unit, college, University, disciplinary, and/or societal level is also expected of faculty. In addition to the traditional markers of service (e.g., committee work, professional association efforts), activities that advance core values like diversity, equity, and inclusion for faculty, students, and staff, must be recognized in assessing faculty performance.

Consistent with Michigan State University's core values, the University is committed to excellence and equity in every facet of its academic mission. As such, all faculty are strongly encouraged to play a proactive role in learning about, contributing to, and supporting MSU's institutional goals of diversity, equity, and inclusion (DEI). Contributions to DEI will be acknowledged, evaluated, and recognized in the reappointment, promotion, and tenure process, as well as in annual reviews of faculty accomplishments. The University acknowledges that contributions to DEI have largely comprised "invisible work" that often disproportionately falls on women and underrepresented groups, and recommits itself to recognizing and rewarding these efforts. DEI efforts can be accomplished through research, teaching, and service, with expected impact on the department, program, discipline, or institution. For example, candidates might: propel a research agenda that incorporates equity and inclusion issues, or diversity in their object of study; establish/support the creation of initiatives around DEI; foster inclusive learning environments both in the classroom and research groups that ensure that students are provided with equitable opportunities for success; participate in mentorship programs for minoritized students; create new DEI curricula programming; or work with diverse groups/organizations on and off campus.

Finally, as enunciated above, the University expects of faculty a fidelity to the highest standards of behavior, the enablement of a culture and climate that is respectful of all individuals, and personal responsibility for behavior and the associated unit and University climate that is created. Consistent with this philosophy, the Provost may use information regarding behavioral matters that are otherwise maintained in confidence in rendering final determinations.

Section 3: Expectations of Department Chairpersons, School Directors, and Deans ^[5]

The first responsibility for chairpersons or school directors is to ensure the development of a set of fair standards and evaluative criteria for use in making RPT recommendations. These standards must take into consideration peer evaluations that have established a fair set of questions regarding contributions to the

field, contributions to the values of the Institution, and other supporting information. As a general rule, in making assessments, no single indicator should be used as the sole measure of excellence and/or scholarly productivity; rather, the goal should be that multiple elements should be used in assessing excellence for each area of a faculty member's assignment.

Unit administrators are responsible as individuals for the recommendations made to the dean. Deans independently review each recommendation for reappointment, promotion, and tenure, and in each case, will focus primarily on how effectively the individual performs academic duties. They support or reject the recommendations of chairperson/directors and college review committees and independently make a recommendation to the Provost, taking into account unit, college, and University criteria. Bearing in mind the University's continuing objective of an excellent, diverse faculty, the unit and college must ensure well-grounded, well-justified recommendations of reappointment, tenure, or promotion.

Section 4: Expectations of Unit and College Review Committees

Each department and school is required to establish procedures so that its faculty can provide advice to the chairperson/school director regarding recommendations for reappointment, promotion, and tenure. Similarly, each college is required to have a college review committee, consistent with the policy "College-Level Reappointment, Promotion and Tenure Committees." [\[6\]](#) Members of review committees are expected to make recommendations to the chairperson, director, or dean that are based upon full and frank discussions about candidates that are confidential, respectful, and evidence-based. All share the responsibility of building a unit characterized by inclusive excellence.

Because tenure is in the University, not the college or department/school, there should be some minimal level of uniformity in how college committees function. Thus, in addition to the dossier (Form on Progress and Excellence in RPT, CV, reflective essay) for each candidate, each case should include:

- Unit reappointment, tenure, and promotion bylaws and policies
- Information concerning the expectations for the faculty member, e.g., appointment letter for reappointment cases, annual review letters since last RPT action, deans' developmental letter at time of reappointment, letter explaining why a promotion case was previously denied
- Written reports from all unit peer review committees that include the votes to support the recommendation
- External review letters
- Unit level RPT votes
- Abstentions in all votes should be restricted to conflicts of interest

All college committees are required to have each member vote on RPT actions and report the college vote to the Office of the Provost.

Section 5: The Process and Timeline

Unit peer review committees make recommendations to the chairperson or school director. Chairpersons and directors then make unit-level recommendations which are reviewed by the college peer review committee, which makes a recommendation to the dean. Deans make the college recommendation to the Provost by February 28th each year. Because tenure at Michigan State University is in the University and not in the department, school, or college, every action prior to the Provost's review is a recommendation. Only the faculty member can stop a reappointment, tenure, or promotion case from moving forward to the next higher level of review. A negative recommendation by the chairperson, director, or dean does not eliminate the review at the Provost level. Recommendations are to be based on explicit unit and college criteria and quality evaluations that are consistent with unit, college, and University policies and goals.

The Office of the Provost reviews occur each year during March and April. Faculty are to be notified of the recommendations from their chairperson/director and dean when those recommendations are forwarded to the next level for review. Faculty will normally be notified of the final recommendation for reappointment, promotion, and tenure actions during May. Official notice of final decisions will normally be sent to faculty members in June, after the President has approved promotion actions and the Board of Trustees has approved tenure actions at its June meeting. Reappointment, promotion, and tenure decisions become effective on July 1 of each year

[1] See Faculty Rights and Responsibilities policy in the *Faculty Handbook*: https://www.hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/faculty_rights.html

[2] See Faculty Guide for Reappointment, Promotion and Tenure Review: <https://hr.msu.edu/ua/promotion/faculty-academic-staff/guide.html>

[3] Service includes accomplishments that advance the effective functioning, climate, and culture of the unit, college, and University, consistent with MSU core values. It also includes service to the profession, or in support of outreach and engagement in the greater Lansing community, across the state of Michigan, nationally, or internationally. The definition of "service" similar to research and scholarship, varies by faculty member, but can be intellectually described and reviewed by members of the academic community.

[4] While collaborative scholarly efforts are recognized and encouraged where appropriate, reappointment, tenure, and promotion decisions are individual to the faculty member. Evidence of the faculty member's individual contribution to collaborative efforts is critical in making these decisions.

[5] For those colleges which are not organized into departments and schools, the dean, as unit administrator, holds the responsibilities that are required of chairpersons and school directors in other colleges.

[6] https://hr.msu.edu/policies-procedures/faculty-academic-staff/faculty-handbook/college-level_tenure_committees.html

Tenure Action and Promotion

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Recommendations for actions under the tenure system and for promotions in rank are made in the department according to unit, college and university bylaws, policies and procedures. Recommendations which do not involve the award of tenure are reviewed successively by the dean, the provost and the president, who makes the final decision. Recommendations which involve the award of tenure are reviewed successively by the dean, the provost, and the president, who makes the final recommendation to the Board of Trustees for action. Department/school recommendations against reappointment or promotion of a tenured faculty member are reviewed by the dean and provost. Since extensive information is needed to make an adequate evaluation of the performance of each faculty member to be recommended for reappointment, tenure, or promotion, a comprehensive form has been developed which provides space for reporting activities such as instruction--undergraduate, graduate, non-credit instruction, and academic advising; research and creative activities; service-within scholarly and professional organizations, within the University, within the broader community, e.g. MSU Extension, professional/patient care activities, International Studies and Programs, Urban Affairs Programs; other evidence of merit. The expectations for each individual are dependent on the individual's particular assignment and the missions of the unit.

College-Level Reappointment, Promotion and Tenure Committees

Last updated: 1/26/2005

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy statement was issued by the Office of the Provost on January 26, 2005, to be effective with the 2005-06 academic year.

University Policy

Each departmentally organized college is required to establish a college-level reappointment, promotion and tenure committee that is charged to provide advice to the dean about department/school recommendations for reappointment, promotion and tenure. The reappointment, promotion and tenure process is a critical component in enhancing academic excellence and building a progressively stronger faculty - faculty who meet continuously higher standards to assure enhanced quality within a national and international context. Establishment of college-level reappointment, promotion and tenure committees is in accordance with Section 2.1.2.2. of the *Bylaws for Academic Governance* that states "deans are responsible for educational, research, and service programs of the respective college or separately reporting unit. This responsibility includes budgetary matters, physical facilities, and personnel matters in his or her jurisdiction taking into account the advisory procedures of the college." College-level reappointment, promotion and tenure committees will enhance the dean's ability to make reappointment, promotion and tenure recommendations that improve academic unit quality.

It is recognized that practices and procedures in colleges may vary; however, all college-level reappointment, promotion and tenure committees must incorporate, at a minimum, the principles included below.

Principles

Each departmentally organized college must include in its written materials governing the reappointment, promotion, and tenure process a procedure for establishing a college-level reappointment, promotion and tenure review committee, including methods for selecting committee members and how the committee will function. At a minimum, the following principles should be clearly defined by the bylaws or established policies and procedures of each college.

1. Eligibility for membership on college-level reappointment, promotion and tenure committees is limited to individuals appointed in the tenure system at Michigan State University, except that because of special appointment circumstances, the Colleges of Human Medicine, Osteopathic Medicine, and Veterinary Medicine may have committee members holding fixed term or Health Programs appointments.
2. Committee members may be selected through an election and/or appointment process.
3. Candidates shall be informed about the nature of the materials to be reviewed by the committee and whether the committee may request additional information/commentary.
4. The College determines the committee's operating rules and procedures, including form of advice, e.g., secret ballot vote, ranking, commentary, etc., and method for selecting a committee chairperson.
5. In providing advice on recommendations that involve the award of tenure or promotion to full professor in the tenure system, committee member participation is limited to tenured faculty or solely to full professors, respectively.
6. The role of the committee is to provide advice to the dean on all reappointment, promotion and tenure recommendations required or proposed by departments/schools. It may also provide comments on department/school standards, criteria and procedures for reappointment, promotion and tenure, and other matters as requested by the dean.

7. Candidates are reviewed according to the criteria and standards in department/school bylaws or other relevant documents, college bylaws or other relevant documents (if any), and the University's statement on "Appointment, Reappointment, Promotion and Tenure Recommendations."
8. The dean of the college will provide faculty members and the Office of the Provost with information concerning the composition, membership, role and functions of the college-level reappointment, promotion and tenure committee.

Guidelines for Academic Unit Peer Review Committee Composition

Last updated: 5/5/1993

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following advisory statement was issued by the Office of the Provost on December 2, 1987 and revised on May 5, 1993.

University Policy

Each academic unit (department, school, non-departmentally organized college) is charged to establish procedures so that its faculty can provide advice to the academic administrator regarding recommendations for various academic personnel actions, e.g., merit salary increases, appointments, reappointments, promotion, and tenure. Advisory procedures in matters of appointment, reappointment and promotion and tenure must involve peer review usually reflected in the work of faculty committees which may vary in size and composition, although in some cases faculty advice is sought individually. For merit salary increases, peer review advice also is required, but procedures may range from faculty advice to the chairperson or director on standards and criteria to specific commentary on individual faculty by an elected peer review committee. In all cases the academic unit administrator at a minimum is required to obtain the advice of the unit faculty on merit salary standards, criteria and procedures. For example, Section 2.1.2.1., of the Michigan State University *Bylaws for Academic Governance*, states that a department chairperson or school director "is responsible for the educational, research, and service programs, budgetary matters, physical facilities, and personnel matters in his or her jurisdiction, taking into account the advisory procedures of the unit."

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

Guidelines for Peer Review Committee Composition

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

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

1. Eligibility for membership on academic unit peer review committees should be limited to individuals appointed in the tenure system at Michigan State University and/or at peer higher educational institutions.
2. Eligibility for membership in academic unit peer review committees, to the fullest extent possible and particularly for personnel actions involving the award of tenure, should be limited to individuals holding tenured faculty appointments at Michigan State University and/or at peer higher education institutions.
3. The composition of an academic unit peer review committee should be representative of that unit's diverse academic interests. Additionally, unit selection procedures should include provisions to encourage participation by women and minority faculty members. Specific procedures for involvement should be developed as consistent with University procedures, college/academic unit bylaws and practice and may include, but are not limited to, the following possible arrangements:
 - Regular peer review committee membership.
 - Service as a consultant to the peer review committee (with or without vote).

- Participation in the pool of individuals from both within and outside Michigan State University identified by the academic unit, in accordance with regular procedures, to evaluate the candidate's record.
- Service as a member of or a consultant to (with or without vote) a college-level peer review committee (if such a body exists).
- Participation in the pool of individuals from both within and outside of Michigan State University identified by the college-level peer review committee and/or dean to evaluate the candidate's record.

External Letters of Reference

Revision history: 10/2015 Added University of Maryland and Rutgers as CIC schools

IV. ACADEMIC HUMAN RESOURCES POLICIES (*Cont.*)

This statement was endorsed by the University Committee on Faculty Affairs on March 14, 2006 and by University Committee on Faculty Tenure on February 8, 2006; it was issued by the Office of the Provost on May 3, 2006. Implementation was required in 2007-08. Revisions were endorsed by the University Committee on Faculty Tenure on October 12, 2011 and April 25, 2012, and by the University Committee on Faculty Affairs on October 25, 2011 and April 24, 2012.

External letters of reference are required for all reviews of tenure system faculty involving the granting of tenure or promotion; they are not required for reappointments. External letters of reference are required in order to ensure that individuals recommended have an achievement and performance level that is comparable with faculties of peer institutions. It is recognized that practices and procedures in units may vary; however, the process of soliciting external letters of reference must incorporate the following principles and procedures, which must be applied uniformly to all faculty in the unit. Any exception to these principles must be approved by the Office of the Provost prior to implementation.

1. External letters of reference should be from leading scholars in the relevant discipline at peer institutions. As a general rule, an external reviewer must at least hold the academic rank for which the candidate is being considered, i.e. an associate professor cannot review one being considered for professor. While there can be no definitive list of peer institutions, research-intensive universities of international scope such as the Big Ten Academic Alliance (BTAA)¹ institutions normally constitute our peers. It is incumbent on candidates and administrators to provide an explanation when external reviewers are selected from institutions that are not of the same stature as BTAA institutions.
2. External letters of reference should be submitted on institutional letterhead and carry the evaluator signature.
3. All external letters of reference solicited and received must be included in the review materials. Unsolicited letters will not be included in the review materials.
4. If an external letter of reference is solicited and the referee fails to or declines to submit a letter of evaluation, this information shall become part of the candidate's review materials. If a reason is provided in writing, it shall become part of the candidate's review materials unless precluded by an agreement on confidentiality.
5. College/department/school procedures will specify the minimum number of external letters (with a minimum of four and maximum of six).
6. The department chairperson/school director/dean of a non-departmentally organized college shall form a list of external referees. Department/school/non-departmentally organized college procedures will specify the number of potential evaluators to be suggested by the candidate, to which the department chairperson/school director/dean of a non-departmentally organized college (and others as provided by department/school/ college procedures) will add names. In accordance with college/department/school procedures, the chairperson/director/dean will determine which of the potential external referees will be asked to provide letters of reference. College/department/school procedures will specify a proportion or number of external letters of reference to be solicited from persons suggested by the candidate.
7. Candidates must not discuss their case with prospective or actual external evaluators at any stage of the review process, except as provided by department/school/college procedures. Soliciting external letters of reference and providing materials to the referees is solely the responsibility of the department chairperson/school director/dean of a non-departmentally organized college.
8. External referees must be professionally capable to evaluate the candidate's scholarly work objectively and to comment on its significance in the discipline. Letters must predominantly represent persons

other than collaborators and in no case may those who served as primary dissertation chair or major advisor for post doctoral research be chosen as external referees.

9. College/department/school procedures will specify the materials sent to external referees. It is minimally required, however, that in addition to the C.V. and reflective essay, a representative sample of the candidate's scholarly work will be made available to the external reviewer for the review.
 10. The unit administrator's request to an external referee must include:
 1. the unit's statement on confidentiality, which must be consistent with the University's statement as contained in the policy "Confidentiality of Letters of Reference for Reappointment, Promotion and Tenure Recommendations"
 2. a request to disclose any potential conflicts of interest
 3. a description of the candidate's assignment, including, for example, the percentage of the appointment devoted to research/creative activities, teaching, service, etc.²
 4. a request to assess:
 1. the candidate in comparison to others in her/his cohort nationally, and
 2. the extent and quality of the scholarship of the candidate, including its contribution to the discipline.
 11. For each external referee, the unit administrator shall provide:
 1. Name, rank/title, institutional affiliation.
 2. Brief summary of the referee's qualifications or CV
 3. Name of the person who recommended the evaluator, e.g., candidate, chairperson/director/dean, or other (specified).
 4. An assessment of the evaluator relationship to the candidate, including potential conflicts of interest.
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¹ University of Chicago; University of Illinois; Indiana University; University of Iowa; University of Maryland; University of Michigan; Michigan State University; University of Minnesota; University of Nebraska/Lincoln; Northwestern University; Ohio State University; Pennsylvania State University; Purdue University; Rutgers University; University of Wisconsin-Madison.

² For candidates with assignments, or from units, that are non-traditional among peer institutions, it is also important to provide contextual information about the mission, roles, and structure of the unit ,e.g. residential colleges.

Confidentiality of Letters of Reference for Reappointment, Promotion and Tenure Recommendations

Last updated: 12/2/1991

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was issued by the Office of the Provost on December 2, 1991.

University policy on confidentiality of letters of reference is that all letters soliciting evaluation relative to reappointment, promotion, and tenure recommendations must include the unit's statement on confidentiality. Any deviation from the following statement must be less restrictive and must be reviewed by the Provost's Office.

"Your letter of evaluation, as part of an official review file, will be held in confidence and will not be disclosed to the faculty member under consideration or to the public except as required by law or University policy. In all such instances, the information made available will be provided in a form that seeks to protect the identity, privacy, and confidentiality of evaluators."

In instances in which individual colleges, departments and schools wish to deviate from the referenced policy, the expectation of the Office of the Provost is that such policy deviations, which can only be less restrictive, would be developed in consultation with duly constituted faculty advisory groups as required by Section 2 of the Bylaws for Academic Governance. In addition, it is expected that such college, department, or school policies will be available to be reviewed by the Office of the Provost in advance of their distribution, both within the academic unit or to external reviewers. In this way there will be an opportunity to ensure the conformance of the unit's policy with this University policy and the law.

Non-Tenured Faculty in the Tenure System

Last updated: 4/17/1970

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

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

At the level of the basic administrative unit, judgments on non-tenured faculty with respect to professional competence (including teaching ability), academic potential, and the needs of the department are made by the responsible administrator after consultation with the tenured faculty and/or other duly constituted group specified in the bylaws of that basic administrative unit. Recommendations for reappointment or promotion which do not involve the award of tenure are reviewed and must be approved successively by the dean, the provost and the president, who makes the final decision. Recommendations for reappointment or promotion which involve the award of tenure are reviewed and must be approved successively by the dean, the provost, and the president, who makes the final recommendation to the Board of Trustees for action.

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

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

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

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

*See the statement on [Promotion of Tenured Faculty](#).

Promotion of Tenured Faculty

Last updated: 12/8/1997

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on December 8, 1997.

Recommendations for the promotion of tenured faculty must be in accord with the provisions of the tenure system and provide the same procedural protections that are provided to non-tenured faculty as described in the statement on "Non-Tenured Faculty in the Tenure System." Specifically, tenured faculty are entitled to confer with the unit review group that is designated to make recommendations with respect to promotion before a decision is made in their case and, upon the written request from a tenured faculty member denied promotion, shall receive in writing from the department chairperson/school director the reasons for this decision.

Faculty Career Advancement and Professional Development: A Special Affirmative Action Responsibility

Last updated: 8/1/1996

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following advisory statement was issued by the Office of the Provost on October 5, 1982 and revised on August 1, 1996.

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

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

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

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

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

In addition to the chairpersons and directors, deans also are encouraged to schedule individual meetings at least annually with all racial minority and women--if underrepresented--tenure system faculty members

appointed in their colleges. Issues identified in these meetings should be discussed with the applicable chairperson/director so that each individual can have full opportunity to develop professionally and make progress toward meeting unit standards.

Documentation of the occurrence of annual performance reviews of non-tenured faculty in the tenure system by unit administrators must be submitted by each dean to the Office of the Provost along with the reappointment, promotion and tenure recommendation list. The details of each performance review will be discussed in the meetings with each dean by the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs and the Vice President for Research and Graduate Studies.

Faculty Status: Reserved for Appointments in Primary Academic Units of the University / Joint Appointment

Last updated: 1/11/1980

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

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

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

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

When a primary academic unit, i.e., a department, school, and/or residential or other non-departmentally organized college, joins with any other type of unit in the University to recommend appointment of an individual in the tenure system, the primary academic unit commits to accept the individual as a regular faculty member. The academic unit should make this commitment only after direct involvement in the recruitment of the individual and specification of the unit's role in evaluations for salary increases, reappointment, tenure, promotion, and leave recommendations. In all cases, except as designated below, responsibility and final decision for salary increases, promotion, reappointment, tenure and leave eligibility rests with the designated primary academic unit. ¹ This commitment means that the individual will serve as a regular faculty member in the academic unit if there is a determination at any future date by the Provost after consultation with the appropriate vice president, as applicable, that the best interests of the University will be served by discontinuation of the assignment of the individual in the non-academic unit(s). A faculty member may also initiate a request to return to the academic unit. Notice of one year to the Provost from the faculty member will usually be sufficient time to reassign the individual to the sponsoring primary academic unit, i.e., department, school, or residential or other non-departmentally organized college.

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

Any individual with a multiple appointment of this type holds status in the tenure system as a member of the primary academic unit, i.e., department, school, or residential or other non-departmentally organized college; and the academic unit is obligated to honor this status fully if and when called upon to do so by the Provost

or the faculty member. Consequently, departments, schools, and colleges must be centrally involved in the ways specified above in recommendations on appointment, salary increases, reappointment, tenure, promotion and leaves.

Tenure System Appointments: Between Primary Academic Units

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

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

Footnote:

¹ Such understandings, together with the other required information, should be included in or attached to Michigan State University's Multiple Appointment Memorandum. In instances where the other type of unit provides more than 50 percent salary support, any one of these personnel actions may be designated as the responsibility of this unit. However, such arrangements (a) require the concurrence of the academic unit, (b) should be specified in the Multiple Appointment Memorandum, (c) may be changed at the initiative of the academic unit after consultation with the faculty member, and (d) do not affect the individual's status as a regular faculty member in the academic unit.

Long-Term Disability: An Interpretation of the Tenure Rules

Last updated: 9/30/2009

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the University Committee on Faculty Tenure (UCFT) on May 19, 1975 and revised by UCFT on April 9, 2003 and September 30, 2009.

This Policy is applicable to all tenure system faculty. Tenure system faculty are eligible to go on long-term disability and receive long-term disability insurance benefits through the University's long-term disability insurance program.

GOING ON LONG-TERM DISABILITY

1. A faculty member may apply for long-term disability benefits for physical or mental health reasons. Application instructions for long-term disability benefits are available from Human Resources. Final approval for long-term disability benefits is made by the University's long-term disability carrier. Information related to the University's long-term disability insurance program can be obtained by contacting Human Resources.
2. A faculty member must complete 180 days of continuous disability, as defined by the University's long-term disability carrier, to be eligible for long term disability benefits. Prior to being eligible for long-term disability benefits, a faculty member may complete a six-month short-term disability leave of absence. University policy regarding short-term disability is located in the *Faculty Handbook*.
3. There is no limit to the number of times a faculty member may apply for long-term disability benefits for multiple, unrelated medical conditions.
4. All medical information and records related to the short-term/long-term disability process are confidential to the degree permitted by law and will be retained in the files of the University Physician's Office and/or Human Resources. Medical information and/or records relating to short-term /long-term disability shall be maintained separately from faculty personnel records. Medical information related to a faculty member's short-term/long-term disability will be shared with relevant University administrators only on a "need to know" basis.
5. Pursuant to the process outlined below, a department chairperson, director of a school, or other unit administrator may recommend to the appropriate dean(s) that a faculty member be placed on long-term disability when the faculty member is no longer carrying out the responsibilities for which he/she is appointed and when the University Physician concurs that the health of the faculty member justifies placement on long-term disability. The dean may approve or reject the unit recommendation. If approved, the dean shall forward the recommendation to the Provost. The Provost may approve or reject the dean's recommendation. If the unit administrator's recommendation is approved, the faculty member will initially be placed on a short-term disability leave for a period of up to six months.

If the faculty member's health problem continues to make him/her unable to carry out the responsibilities for which he/she is appointed at the expiration of the six-month short-term disability leave, the faculty member must apply for long-term disability or be placed on unpaid leave for a period of up to six months. If, at the conclusion of the unpaid leave, the faculty member continues to be unable to carry out his/her responsibilities and the faculty member has not applied for or has not been approved for long-term disability, the University disciplinary and/or dismissal procedures for tenure system faculty members may be implemented.

1. Prior to making a formal recommendation to place a faculty member on long-term disability, the unit administrator will discuss the matter with the faculty member and the University Physician. In accordance with the *Health Assessment* statement in the Faculty Handbook, the unit administrator may require a comprehensive medical assessment of the faculty member to

determine if health might be a primary cause of the faculty member's failure to carry out his/her assigned responsibilities. This assessment may be by the University Physician or a physician selected by the faculty member and acceptable to the University Physician. Based on the assessment, the University Physician will advise the unit administrator regarding his/her recommendation to place the faculty member on long-term disability.

2. If the unit administrator requires a medical assessment of the individual faculty member, the faculty member must be informed in writing of the reasons for requiring the assessment and the consequences for failure to cooperate with the assessment, including the possibility of disciplinary action. The faculty member must also be informed in writing that he/she may grieve the unit administrator's decision to require a medical assessment under the *Faculty Grievance Policy*.
3. When a unit administrator considers recommending that a faculty member be placed on long-term disability, he/she shall seek advice regarding the faculty member's performance of responsibilities from the relevant faculty advisory group or by faculty members professionally knowledgeable about the responsibilities of the faculty member's academic position in each of the academic units to which the faculty member is assigned.
4. When reviewing a unit administrator's recommendation to place a faculty member on long-term disability, the University Physician will normally arrange for a physician to provide medical advice in the relevant specialty. After consultation with the appropriate unit administrator(s), the University Physician will provide this health care provider with information about the terms and conditions of the faculty member's appointment, the nature of the work required of the faculty member, and the concerns raised by the unit administrator. The faculty member may also choose to have his/her personal physician contact the University Physician regarding the unit administrator's recommendation. The University Physician will review the advice of the physician(s) and advise the appropriate University administrators regarding the advice he/she has received from the other physicians and inform the unit administrator if he/she concurs that the health of the faculty member justifies placing the faculty member on long-term disability.
5. If a unit administrator recommends placing a faculty member on long-term disability, the University Physician concurs with that recommendation, and that recommendation has been approved by the appropriate dean(s) and by the Provost, the faculty member must be informed in writing that he/she may utilize the *Faculty Grievance Policy* to grieve the unit administrator's decision to recommend that the faculty member be placed on long-term disability.
6. These procedures are in place to assure that the relevant academic administrators place a faculty member on short-term/long-term disability only for bona fide health reasons. A faculty member who believes the short-term/long-term disability process is being used to bypass the procedures governing discipline or dismissal of a tenured faculty member may utilize the *Faculty Grievance Policy*, per 5(B) and 5(E) above.
7. If at any point in this process the faculty member elects to apply for long-term disability, the routine application procedure administered by Human Resources applies.

REINSTATEMENT / REASSIGNMENT FROM LONG-TERM DISABILITY

Probationary Faculty Members:

1. The University shall hold a probationary tenure system faculty member's position "open" for the remainder of the faculty member's current probationary appointment or a maximum period of two years, whichever is less, filling the vacant position, if necessary, with interim appointments. At any time during the current probationary appointment the faculty member may seek to be reinstated to the position vacated due to his/her long-term disability status. The University shall respond promptly to such a request. If, at the expiration of the current probationary appointment, the faculty member has not been reinstated, the faculty member's employment will be terminated. The University's long-term

disability insurance coverage may continue to provide benefits after the termination of the faculty member's employment. Information regarding the University's long-term disability insurance program is available from Human Resources.

1. A faculty member seeking reinstatement under this provision should address the request for reinstatement to his/her unit administrator in writing. A copy of the request and medical documentation from his/ her treating physician to support the request should be sent to the University Physician. Reinstatement under this provision requires approval by the University Physician, the appropriate administrative endorsements, and approval by the Provost.
2. A faculty member reinstated under this provision shall resume his/her duties consistent with the job expectations currently in place for probationary tenure system faculty with similar positions within that unit at the time reinstatement is granted.

Tenured Faculty Members:

1. The University shall hold a faculty member's tenured position "open" for two years from the date he /she is placed on long-term disability by the University's long-term disability carrier, filling the vacant position, if necessary, with interim appointments. At any time during the two-year period the faculty member may seek to be reinstated to the position vacated due to his/her long-term disability status. The University shall respond promptly to such a request. If, at the expiration of two years, the faculty member remains on long-term disability and has not been reinstated, the position need no longer be held "open" and the faculty member's employment will be terminated. The University's long-term disability insurance coverage may continue to provide benefits after the termination of the faculty member's employment. Information regarding the University's long-term disability insurance program is available from Human Resources.
 1. A faculty member seeking reinstatement under this provision should address the request for reinstatement to his/her unit administrator in writing. A copy of the request and medical documentation from his/her treating physician to support the request should be sent to the University Physician. Reinstatement under this provision requires approval by the University Physician, the appropriate administrative endorsements, and approval by the Provost.
 2. A faculty member reinstated under this provision shall resume his/her duties consistent with the job expectations currently in place for tenured faculty with similar positions within that unit at the time reinstatement is granted.
2. If, within the two-year period, the faculty member is not capable of resuming the assigned duties of the vacated tenured position, but is capable of assuming another full-time tenured position commensurate with his/her education, training, and experience, a reasonable effort shall be made during the two-year period to place him/her in such a position, if such a position is available.
 1. A faculty member seeking reassignment under this provision should address the request for reassignment to the Provost in writing. A copy of the request and medical documentation from his/ her treating physician to support the request should be sent to the University Physician. Reassignment under this provision requires approval by the University Physician, the appropriate administrative endorsements, and approval by the Provost.
3. If, after the expiration of the two-year period, the former faculty member asks to return to service at the University, and he/she provides documentation from his/her treating physician that indicates that he /she is capable of performing the responsibilities of a full-time faculty member, the University shall give strong consideration to the re-employment of the individual when a vacancy occurs in the area of his/her professional competence; however, the individual has no prior claim to the vacancy.
 1. An individual seeking re-employment under this provision should address the request for employment to the Provost in writing. A copy of the request and medical documentation from his/ her treating physician to support the request should be sent to the University Physician. Re-employment under this provision requires approval by the University Physician, the appropriate administrative endorsements, and approval by the Provost.
 2. The terms of employment for an individual re-employed under this provision will be consistent with the position for which the individual applied and was re-hired. For example, the individual

might be appointed as a fixed-term, probationary, or tenured faculty member, depending on the specific position for which the individual was re-hired.

4. If, either during or after the two-year period, the faculty member or former faculty member is not capable of performing the duties of a full-time faculty member but provides documentation from his/her treating physician that indicates he/she is capable of other employment within the University, the University shall make reasonable efforts to find a suitable alternative position for that individual at the University.
 1. A faculty member seeking an appointment under this provision should address the request in writing to the Provost or appropriate Vice President, depending on the position sought. A copy of the request and medical documentation from his/her treating physician to support the request should be sent to the University Physician. Appointment under this provision requires approval by the University Physician, the appropriate administrative endorsements, and, as appropriate, approval by the Provost or by the relevant Vice President.
5. If a tenured faculty member is reinstated in a tenured faculty position within the two-year period and subsequently is unable to perform his/her responsibilities for health reasons:
 1. Long-term disability status will be reinstated (for the same condition for which long-term disability status was originally approved) if the period for which the faculty member has returned to work is twelve months or less.
 2. A six month short-term disability leave will be required to re-qualify for long-term disability if the period of return to work is greater than twelve months and the disability results from the same condition for which the long-term disability status was originally approved, or if the faculty member's disability is not the same condition for which long-term disability status was originally approved.
 3. In case of 5.A. or 5.B. above, there is no extension of the two-year period for which the tenured position is held open (for the same condition for which the long-term disability status was originally approved).
6. If a tenured faculty member is reinstated, re-employed, or reassigned to a tenured position, he/she shall have full rights of tenure.

General Principles:

1. For any reinstatement, reassignment, or re-employment, a faculty member will be expected to perform the job duties and meet the job expectations in place for faculty with similar positions within the unit without exception, unless a reasonable accommodation has been requested and granted.
2. When reviewing a request for reinstatement, reassignment, or re-employment, the University Physician will review the medical documentation provided from the faculty member's treating physician and will normally arrange for another physician to provide medical advice in the relevant specialty. After consultation with appropriate unit administrator(s), the University Physician will provide this health care provider with information about the terms and conditions of the faculty member's appointment and the nature of the work required of the faculty member. The University Physician will receive the advice from the physicians and advise the appropriate University administrators regarding reinstatement/reassignment/re-employment.
3. When a faculty member returns from long-term disability, he/she shall perform the duties of teaching, research, and service with full guarantee of academic freedom.
4. The academic freedom of a faculty member is in no way compromised by his/her long-term disability status.

Policy and Procedure for Rescission

Last updated: 6/11/1993

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on June 11, 1993.

The University may rescind a tenure system faculty member's appointment for any material misrepresentation made in the course of seeking a University appointment. In such cases, the faculty member shall be advised, in writing, of the grounds for rescission and shall be provided an opportunity to confer with the Provost in advance of any rescission action. If the Provost decides to recommend rescission of the faculty member's appointment, the faculty member shall be so notified in writing. The faculty member may grieve the decision by filing a grievance with the Faculty Grievance Official within thirty calendar days of receipt of the Provost's written notification.

If no grievance is filed, the Provost shall forward the rescission recommendation to the President for action by the Board of Trustees. If a grievance is filed it will be heard by a University Hearing Panel pursuant to the procedures in Section III.I. of the Faculty Grievance Policy except that the Hearing Panel shall forward its recommendation directly to the President. The University Hearing Panel shall include three members of the UCFT. Upon receipt of the recommendation of the Hearing Panel, the President shall act on recommendation and either (1) retain the faculty member or (2) forward the matter to the Board of Trustees for action.

Discipline and Dismissal of Tenured Faculty for Cause

Last updated: 2/11/2022

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on March 16, 1967 and revised on May 5, 2006, December 18, 2015, June 22, 2018, September 9, 2019, and February 11, 2022.

Preamble

The University's commitment to promote the welfare of mankind through teaching, research, and public service is furthered by the intellectual integrity and professional honesty of faculty members mindful of their rights and responsibilities. Essential to sustaining an environment of mutual trust and respect is the need for impartial investigation of alleged violations of policies related to faculty conduct; due process; and, when necessary, disciplinary action up to and including dismissal for cause. Discipline, dismissal, or the threat of either action, may not be used to restrain faculty members in their exercise of academic freedom.

I. CONFIDENTIALITY

Records of disciplinary action or dismissal for cause proceedings shall be kept confidential to the degree permitted by the law. Subject to legal limitations and limitations imposed by University policy, information regarding discipline or dismissal of a faculty member may be disclosed when disclosure is necessary for the effective operation of the University. Disclosures should occur only after consultation with the Office of Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (FASA), the Office of the General Counsel (OGC), University Communications, and where applicable, the Office for Civil Rights and Title IX Education and Compliance (OCR), and Presidential Advisors on RVSM.

II. MAILING OF NOTICES UNDER THIS POLICY

In matters involving minor discipline, notices required by this Policy will be sent to the faculty member by email to the faculty member's msu.edu account, with a courtesy copy sent to the faculty member by first class mail to the address of record. It is the faculty member's responsibility to regularly review the msu.edu email account for departmental and other University communications.

In matters involving serious discipline or dismissal, the faculty member shall be sent the notices required by this Policy by certified mail to their address of record filed with the University. However, if delivery by certified mail is not possible or if the faculty member refuses or waives delivery of certified mail, mailing notices to the faculty member at their address of record by first class mail will be considered sufficient. An email will also be sent to the faculty member's University email address notifying them of the fact that a notice required by this Policy has been sent by one of the methods described above.

III. PARTICIPATION OF ADVISORS, OBSERVERS, OR COUNSEL

Faculty members are entitled to bring an advisor or observer to any meeting regarding disciplinary action referenced in this policy. The advisor or observer must be a member of the University community (faculty, staff, or administrator), including *emeriti*. The advisor or observer may be present during the meeting, but will have no voice or formal role in the meeting. Unless otherwise specified in this Policy, faculty members are entitled to bring an advisor of their choice, including legal counsel, to any meeting or hearing conducted during dismissal for cause proceedings. During those proceedings, the advisor has voice and is granted full

participation.

IV. GROUNDS FOR DISCIPLINE AND DISMISSAL ¹

A faculty member² may be disciplined, or dismissed, for cause on grounds including but not limited to (1) intellectual dishonesty; (2) acts of discrimination, including harassment, prohibited by law or University policy; (3) acts of moral turpitude substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration; (4) theft or misuse of University property; (5) incompetence;³ (6) refusal to perform reasonable assigned duties; (7) use of professional authority to exploit others; (8) violation of University policy substantially related to performance of faculty responsibilities; and (9) violation of law(s) substantially related to the fitness of faculty members to engage in teaching, research, service/outreach and/or administration.⁴

V. TYPES OF DISCIPLINE

Disciplinary action is normally iterative and falls into two general categories: minor discipline and serious discipline. *Minor discipline* includes but is not limited to: verbal reprimand, written reprimand, mandatory training, foregoing salary increase, restitution, monitoring of behavior and performance, and/or reassignment of duties; *Serious discipline* includes suspension with or without pay or temporary or permanent reduction in appointment. A full suspension without pay may not exceed six months. In cases of gross wrongdoing, or where attempts at discipline have not successfully remedied performance concerns, a faculty member may be *Dismissed* for cause.

In matters where the dean⁵ and the Office of the Associate Provost⁶ concur that a faculty member's continued performance of faculty duties poses a significant risk of harm to persons or property, the faculty member may be relieved of duties and suspended with pay during the pendency of the investigation and discipline process.

In all faculty discipline, the University bears the burden of proof that adequate cause exists; it will be satisfied only by clear and convincing evidence unless a different standard is required by law.⁷ Violations of University policy are determined according to the preponderance of evidence standard. In certain circumstances, it may be appropriate to consider the faculty member's record as a whole when contemplating imposition of disciplinary action.

In cases of both minor and serious discipline (1) faculty members retain the right to grieve disciplinary actions that have been implemented under the regular terms of the Faculty Grievance Procedure and (2) the faculty member may submit a letter of exception to the imposition of discipline, disputing the grounds for the unit administrator's decision, to be included in the faculty member's personnel file.

VI. PROCESS TO INITIATE MINOR OR SERIOUS DISCIPLINE

A. MINOR DISCIPLINE

The University recognizes that it is the unit administrator who has primary responsibility for supervising faculty members. It is the role of the unit administrator to monitor faculty performance and communicate concerns to faculty members and to the dean. However, the dean is primarily responsible for making disciplinary decisions and may impose discipline in place of the unit administrator according to the following process:

Where the unit administrator, in consultation with the dean, seeks to impose minor disciplinary action, the unit administrator shall first meet with the faculty member to discuss the administrator's concern and the potential for discipline. The administrator will notify the faculty member during that meeting of the right and

opportunity to request a consultation with the department/school faculty advisory committee, its chair, or the chair of the UCFA personnel subcommittee⁸ before the administrator proceeds with any disciplinary action. The purpose of such informal consultation is to reconcile disputes early and informally, when that is appropriate, by clarifying the issues involved, resolving misunderstandings, considering alternatives, and noting applicable bylaws.

The unit administrator and faculty member, if requested by the faculty member, will consult with the department/school faculty advisory committee, its chair, or with the chair of the UCFA personnel subcommittee in a prompt fashion to discuss the administrator's concern and the potential for discipline.

Should the unit administrator still wish to proceed with disciplinary action after that consultation, the administrator must consult with the dean and the Office of the Associate Provost to discuss the proposed disciplinary action. If the proposed discipline is authorized by those offices, the unit administrator shall provide the faculty member with written notice of the cause for disciplinary action in sufficient detail for the faculty member to address the specifics of the charges, and an opportunity to respond in writing prior to the imposition of any disciplinary action, within seven (7) days⁹ of receipt of the unit administrator's written notice. The dean must be copied on the written notice. The written response by the faculty member, if any, will be provided to the unit administrator, the dean and the Office of the Associate Provost for further comment.

The unit administrator, in consultation with the dean, and after considering the written response and further comments, if any, shall make a decision regarding the disciplinary action and notify the faculty member in writing. The discipline will then take effect.

B. SERIOUS DISCIPLINE

Where the unit administrator, in consultation with the dean, or dean seeks to impose serious disciplinary action, the unit administrator or dean shall first meet with the faculty member to discuss the administrator's concern and the potential for discipline. Because it is in the interest of the University, the unit, and the faculty member that attempts be made to resolve serious disciplinary issues early and informally, the dean, unit administrator and faculty member are encouraged to meet with the chair of University Committee on Faculty Affairs (UCFA)¹⁰ to discuss the matter.

If that meeting does not resolve the issue, the unit administrator, in consultation with the dean, or dean shall consult with the Office of the Associate Provost to discuss the proposed disciplinary action. If the proposed discipline is authorized by the Office of the Associate Provost, the dean shall provide the faculty member with written notice of the proposed disciplinary action in sufficient detail for the faculty member to address the specifics of the charges.

The faculty member shall have seven (7) days after receiving the notice of proposed disciplinary action to (1) file a written statement with the dean regarding the proposed discipline,¹¹ or (2) request a meeting with a disciplinary review panel of the UCFA. A request to meet with the review panel should be made to the dean, who will forward it promptly to the Chair of the UCFA. If the faculty member does not submit a written response or request a meeting with the disciplinary review panel within the seven-day period, the discipline will take effect.

1. Review Panel Selection and Composition

The Chair of the UCFA, in consultation with the Office of the Provost, shall annually establish a three-person review panel made up of current members of the UCFA to meet with unit administrators and faculty members regarding potential serious disciplinary action. The members of the review panel will serve until their replacements are selected the following academic year. A list of three alternates will

also be maintained in the event that a panel member is unavailable. The Office of the Provost will arrange training about academic personnel actions and policies for the review panel and alternates.

2. Meeting with the Review Panel

Upon receipt of a request to meet, the Chair of the UCFA will schedule a meeting with the unit administrator, dean, faculty member, and disciplinary review panel. That meeting will take place no later than the second regularly scheduled meeting after the request is received, but not to exceed 21 days during those periods when the UCFA is not regularly meeting. Except in unusual circumstances, meetings of the disciplinary review panel will take place before, during, or after the regularly scheduled meeting time of the UCFA and the unit administrator, dean, and the faculty member will be expected to adjust their schedules to attend the meeting. If any party cannot personally attend for good cause, as determined by the Chair of UCFA, that individual may participate through alternate communication methods (e.g., telephone, video conference) or send a representative to the meeting. If the faculty member does not appear for the meeting, the meeting will be conducted in the faculty member's absence.

No member of the review panel shall participate in a meeting involving a faculty member from the same college in which the panel member is appointed. The faculty member may also request that any member of the panel recuse themselves if a conflict of interest exists. If the panel member refuses to recuse themselves, the Chair of the UCFA will determine whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be able to participate fairly and impartially in the meeting and make a fair and impartial recommendation.

3. Recommendation of the Review Panel

Following its meeting, the review panel will provide its recommendation to the dean, with a copy to the faculty member, within seven (7) days about whether the proposed serious discipline should be imposed, lesser discipline should be substituted, or no discipline should be imposed. The recommendation is not binding on the dean but shall be given all due consideration. If the dean does not take the advice of the review panel, they will provide a detailed reply to its recommendation for consideration and possible amendment by the panel within seven (7) days, copying the faculty member. If the panel decides to amend its original recommendation, it must do so within seven (7) days, copying the faculty member. This documentation will form a part of the permanent record of the discipline process.

4. Imposition of Disciplinary Action

After receiving the response (and amendment, if any), the dean shall make a decision regarding the disciplinary action and notify the faculty member in writing. If the review panel recommended against imposition of serious discipline, or recommended lesser discipline, the dean must meet with the unit administrator and the Office of the Associate Provost before proceeding with disciplinary action.

VII. DISMISSAL FOR CAUSE PROCESS

A. INITIATING DISMISSAL FOR CAUSE PROCEEDINGS

1. Request to Initiate Dismissal for Cause Proceedings

A dean (charging party)¹² proposing to initiate dismissal for cause proceedings against a faculty member must file a written request with the Provost, copying the faculty member, that provides the reasons for considering dismissal in sufficient detail for the faculty member to address the specifics of the charges, if necessary, and provides copies of all relevant documentation, including copies of any

past disciplinary action or warnings to the faculty member that their conduct might lead to dismissal.

2. Determination by the Provost

The Provost must determine whether the matter is of sufficient seriousness to warrant the initiation of dismissal for cause proceedings. To reach this determination, the Provost will discuss the matter with the charging party and the faculty member individually. Both parties have a right to decline the meeting. The faculty member also has the right to submit to the Provost a written response to the dean's request to initiate dismissal for cause proceedings. The faculty member has seven days after the dean's request to submit their response. The Provost's determination on whether dismissal for cause proceedings are warranted will be made within seven (7) days after the deadline for the faculty member's response.

B. WRITTEN CHARGES AND EGREGIOUS DETERMINATION

If the Provost determines that the matter is serious enough to warrant initiation of dismissal for cause proceedings, the Provost shall immediately provide written notice of that determination to the President.

Following written notification by the Provost to the President that the matter is of sufficient seriousness, the charging party has seven (7) days to initiate dismissal for cause proceedings against a faculty member by filing written charges with the President and Chair of the University Committee on Faculty Tenure (UCFT). The charges must contain: (1) the allegations; (2) the names of the witnesses, insofar as then known, who will testify in support of the allegations; and (3) the nature of the testimony likely to be presented by each of these witnesses. The Chair of the UCFT shall promptly send a copy of the written charges to the faculty member.

Following written notification by the Provost to the President that the matter is of sufficient seriousness, a three-person review panel (see Appendix I) shall decide, in consultation with the President, whether the faculty member's conduct is egregious.¹³ The decision is based on the dean's request to initiate dismissal for cause proceedings and the faculty member's response under VII(A)(2), and must be made within seven (7) days of receiving these documents. If the review panel unanimously decides that the conduct is egregious, the faculty member will be relieved from all duties during the dismissal for cause proceedings without pay.¹⁴ If the review panel does not unanimously decide that the conduct is egregious, the unit administrator, in consultation with the dean, shall decide within three (3) days of receiving the decision whether the faculty should be relieved from some or all of their duties (with pay) during the dismissal for cause proceedings. The parties must be copied on the review panel's and unit administrator's decisions.

If the review panel unanimously determines that the faculty member's conduct is egregious, upon notice of this determination, a faculty member may no longer obtain official retiree status from the University during the pendency of the dismissal for cause proceedings.¹⁵ A faculty member who is dismissed for cause at the conclusion of the dismissal for cause process is not eligible for official retiree status or emeritus status.

1. Meetings between the Presiding Officer and the Parties

Within fourteen (14) days after the faculty member receives notice of the written charges, the Chair of the UCFT shall meet with the parties. The purposes of the meeting is permit:|

- a. Challenges to any members of the Hearing Committee for conflict of interest (see Appendix I).
- b. Exchange of documents and witness lists between the parties.
- c. Stipulations by the parties on any relevant matters of fact. Any stipulation shall be reduced to writing and signed by both parties and the Presiding Officer.

- d. Rulings by the Presiding Officer on any proposed revisions to the charges that might be offered or requested.

The Chair of the UCFT may ask legal counsel to attend this meeting. The Chair of the UCFT shall arrange for the recording of the meeting and include it in the complete case record. The relevant administrator and faculty member will be expected to adjust their schedules to attend.

2. The Hearing

- a. Service on the Hearing Committee shall be a high priority University responsibility for the duration of the hearing. Accordingly, administrators of units shall take all reasonable measures to reduce the Hearing Committee members' other responsibilities. Unit administrators are encouraged to provide additional support (such as graders and graduate assistants) to Hearing Committee members for the duration of their service.
- b. The Secretary for Academic Governance shall make available to the Chair of the Hearing Committee any necessary administrative and/or clerical assistance.
- c. Legal counsel to the Hearing Committee shall arrange for a full stenographic record to be made of the hearing. If any party requests additional copies of the record or an expedited copy of the record, the additional costs of that request shall be paid by the requesting party.
- d. The parties are responsible for arranging the presence of any witness they wish to serve as a witness at the hearing.
- e. The Chair of the Hearing Committee shall schedule the hearing within 21 days after the faculty member is provided notice of the written charges against them.
- f. The hearing shall be closed, except that the Hearing Committee may consider a request from the faculty member to open the hearing. If such a request is made, the Hearing Committee shall hear the views of both parties on the question and shall determine whether the hearing sessions are to be open or closed. Regardless of the faculty member's request, the Chair of the Hearing Committee may, in the interest of orderly and equitable proceedings, rule that a given session or portion of a session be closed. Sessions or portions of sessions that will involve student testimony or testimony that includes personally identifiable student information must be closed. Sessions that will involve non-student witness testimony may also be closed at the discretion of the Chair of the Hearing Committee.
- g. The Chair of the Hearing Committee shall conduct the hearing in accordance with the procedures stipulated in Appendix II.
- h. The charging party or their representative shall be present at all sessions of the Hearing Committee at which evidence is presented or arguments are heard, and may (1) present evidence, (2) call, examine, and cross-examine witnesses, and (3) examine all documentary evidence received by the Hearing Committee. The charging party's advisor or legal counsel (if any) may also be present at the request of the charging party.
- i. The faculty member and/or their representative may be present at all sessions of the Hearing Committee at which evidence is presented or arguments are heard, and may (1) present evidence, (2) call, examine, and cross-examine witnesses, and (3) examine all documentary evidence received by the Hearing Committee. The faculty member's advisor or legal counsel (if any) may also be present at the request of the faculty member. If the faculty member cannot be present at a hearing

session due to circumstances beyond the faculty member's control, the Chair may grant permission for the faculty member to participate through alternate communication methods, reschedule the hearing session, or choose to conduct the hearing session in the absence of the faculty member.

j. If the faculty member chooses not to be present, the Chair shall conduct the hearing sessions in the absence of the faculty member.

k. The Provost (or their designee) shall be available to the Hearing Committee to provide guidance on policy or procedural questions. In the event that a policy or procedural question is at issue in the dismissal for cause proceedings, the Provost may choose to file a position statement with the Hearing Committee regarding the policy or procedural issue. In those cases, the Provost (or their designee) will not serve in an advisory capacity to the Hearing Committee regarding policy or procedural questions.

l. Except as provided below, only those members of the Hearing Committee who have been present at all sessions in which evidence has been presented or arguments have been heard shall have the right to vote. An exception to this attendance requirement shall be made by the Chair of the Hearing Committee for a member who has missed, for good cause, no more than one session and who has informed the Chair in writing that they have read the official transcript of that session. This attendance requirement may also be waived by unanimous consent of the parties.

m. Within a reasonable time following final arguments (usually not to exceed 14 days), the members of the Hearing Committee will vote to determine whether cause has been established. If they determine that cause has been established, they shall recommend either dismissal or other disciplinary action(s). If a majority of the Hearing Committee determines that cause has not been established, the matter is closed.

3. Processing the Record and Rendering Judgment

a. Hearing Committee Report.

1. Within 14 days following the final arguments, the Hearing Committee shall submit its written report to the parties.

2. The Hearing Committee report must include an explanation of its determination as to whether cause has been established. If the Hearing Committee determines that cause has been established, the report must also include an explanation of its recommendation for either dismissal or some other disciplinary action(s). A report which recommends dismissal for cause or other discipline must state that at least one of the charges made against the faculty member has been proven by clear and convincing evidence.

3. Subject to subsection 4 below, all members of the Hearing Committee shall sign the report attesting that they have read it and that it constitutes the findings and recommendations of a majority of the Hearing Committee.

4. Any member(s) of the Hearing Committee may file and sign a minority report, which shall become part of the Hearing Committee report.

b. Appeals.

1. Grounds for appeal are limited to whether the Hearing Committee committed a prejudicial violation of the required procedures (see Appendix II) during the hearing process.

2. Either party may appeal the decision of the Hearing Committee to the then-current members of the UCFT, excluding the Presiding Officer and any members of the UCFT who served on the Hearing Committee. The remaining UCFT members shall constitute an appellate body (the Appeal Panel) and shall select a Chair by majority vote.

3. A party wishing to appeal (appellant) must submit a written appeal to the Chair of UCFT within 7 days after the date that the Hearing Committee report was mailed. The Chair of UCFT will transmit the appeal and a copy of the Hearing Committee report to the Appeal Panel and the appellee.¹⁶

4. The appeal must be in writing and must specify the claimed procedural violation(s) on which the appeal is based.

5. The appellee may submit a written response to the appeal. The response must be sent to the Chair of the UCFT and the party who initiated the appeal no later than 7 days after the date the appeal was mailed to the appellee.

6. The Appeal Panel will convene to decide the appeal. The Appeal Panel will usually decide the appeal based on the written materials presented and in the absence of the parties. If necessary, the Appeal Panel may request that both parties present oral argument and/or respond to questions regarding the appeal. The Appeal Panel may impose reasonable limits on the time allotted for oral arguments.

7. The Appeal Panel shall render a decision on the appeal within 7 days of receiving all arguments. A decision will be made by a simple majority vote. In rendering a decision, the Appeal Panel may not amend the findings or the recommendations of the Hearing Committee. The Appeal Panel may reach one of the following determinations:

i. No violation found. The Hearing Committee did not commit a prejudicial violation of the required procedures during the hearing process.

ii. Harmless Error. Although a violation of the procedures occurred, it did not materially harm the appellant's ability to present their case fully.

iii. Rehearing. The Hearing Committee committed a prejudicial violation of the procedures during the hearing process which can and should be corrected by the original Hearing Committee.

iv. Rehearing/New Hearing Committee. The Hearing Committee committed a prejudicial violation of the procedures during the hearing process which has tainted the hearing to an extent that correction by the original Hearing Committee is impossible. A new Hearing Committee must be established to rehear the case.

c. Final Hearing Committee Report.

1. After appeals and rehearings, if any, are concluded, the Hearing Committee's report shall be considered final and shall be sent to the President, the Provost, and the parties within 7 days of conclusion of any appeals and rehearings.

2. A copy of the complete transcript of the hearing shall be sent to the faculty member.

3. The Chair of the Hearing Committee shall file the complete record of the case with the Office of the Provost. The complete record shall contain: (i) the final Hearing Committee

report, (ii) any Appeal Panel decision, (iii) meeting minutes, and (iv) the transcript of the hearing. The complete record shall be held for review in the Provost's Office and shall be available to the President, the Provost, the Board of Trustees, and the parties, for their review, in a place designated by the Provost.

d. The President, within 7 days of the date of receipt, unless an extension of time has been granted by the Chair of the Hearing Committee, will review the Hearing Committee's report and provide their report in writing, accompanied by supporting rationale, to the Chair of the Hearing Committee, the Provost, and the parties.

f. If the Hearing Committee and the President both determine that there is cause for disciplinary action but not dismissal, the President's report will conclude the matter and the disciplinary action recommended by the President will be imposed.¹⁷

g. If either the Hearing Committee (by majority vote) or the President recommends dismissal, the President shall submit the following materials to the Board of Trustees: the final Hearing Committee report and the final report of the President. Any Trustee may have access to the complete record of the case.

h. The Board of Trustees shall act on the matter at their next regularly scheduled meeting, but no earlier than 7 days from the date of the President's report. The Office of the Provost shall provide notice to the parties of the date and time that the Board of Trustees is expected to take action on the matter.

i. After reviewing the relevant materials, the Board of Trustees may: (1) dismiss the faculty member for cause, (2) impose discipline other than dismissal, or (3) determine that cause has not been established and close the matter.

VIII. Policy History

This policy was approved by the Board of Trustees on December 18, 2015, with an effective date of January 1, 2016. It replaces the Policy and Procedure for Implementing Disciplinary Action Where Dismissal is Not Sought¹⁸ and the Dismissal of Tenured Faculty for Cause policy.¹⁹

[Appendices I, II](#)

Footnotes:

¹ Limitations of this Policy: (1) A faculty member who fails to return to the University within a reasonable time after a term break, sabbatical, or other leave of absence shall forfeit rights to further employment and shall be considered as having resigned; in such cases, the faculty Leaves of Absence policy shall be followed. (2) A tenure-system faculty member's material misrepresentation made to the University in obtaining employment shall be addressed by the Policy and Procedure for Rescission.

² This Policy also applies to the discipline and dismissal of untenured faculty appointed in the tenure system prior to the expiration of the term of appointment.

- ³ The term "incompetence" refers to professional incompetence, as defined in the Interpretation of the Term "Incompetence" by the University Committee on Faculty Tenure.
- ⁴ This would include violations of criminal or civil (e.g., anti-harassment or discrimination) laws that have a nexus with the faculty member's professional responsibilities.
- ⁵ For purposes of this Policy, "dean" refers to separately reporting Directors as well.
- ⁶ For purposes of this Policy, "Associate Provost" refers to the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs.
- ⁷ "Clear and convincing" means the standard of proof that is beyond a mere preponderance (i.e. more probable than not) but below that of "beyond a reasonable doubt." The "clear and convincing" standard would be met when those making the determination have a firm belief that the facts in issue have been established.
- ⁸ If the chair is not tenured, the chair may request that a tenured member of the personnel subcommittee fill this role.
- ⁹ Unless otherwise noted, references to "days" in this Policy refer to calendar days.
- ¹⁰ If the chair is not tenured, a tenured member of UCFA may fill this role at the request of the chair, the unit administrator, or the faculty member.
- ¹¹ The unit administrator shall consider the written statement of the faculty member and confer with the Dean and the Office of the Associate Provost, after providing copies of the faculty member's statement to both, before proceeding with disciplinary action.
- ¹² In situations where a dean fails to seek dismissal of a faculty member, the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs may file a written request to initiate dismissal for cause proceedings to the Provost. This individual will fulfill the responsibilities of the dean under Section VII. of this Policy.
- ¹³ Egregious conduct includes, but is not limited to (1) causing or attempting to cause substantial damage to the University's physical or intellectual property; (2) committing or attempting to commit violence against University community members; or (3) violating or attempting to violate fiscal norms (i.e., fraud or theft) or scholarly norms (i.e., falsification or fabrication of research).
- ¹⁴ If the Hearing Committee determines there is no cause for dismissal, the faculty member shall receive back pay for the period of time during which the faculty member was on an unpaid leave of absence.
- ¹⁵ The term "official retiree status" refers to the minimum retirement requirements as listed in the Retiring from the University Policy and the applicable university contribution to retiree health care and dental coverage as listed in the Retiree Benefits Policy, and does not include a faculty member's 403(b) Base Retirement Program account balance.
- ¹⁶ The "appellee" is the party of the original dispute who did not file the appeal.

¹⁷ Disciplinary action implemented under this Policy may not be challenged through the Faculty Grievance Procedure.

¹⁸ Approved by the Board of Trustees on June 11, 1993.

¹⁹ Approved by the Board of Trustees on March 16, 1967 and revised on May 5, 2006.

[Appendices I, II](#)

[User's Guide: Discipline and Dismissal of Tenured Faculty for Cause Policy](#)

Discipline and Dismissal of Tenured Faculty for Cause (continued)

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Dismissal of Tenured Faculty for Cause Appendices

Appendix I

Procedure for Empaneling Hearing Committees and Review Panels

Hearing Committee

A standing panel of at least 18-20 tenured faculty members will be selected by the Provost in consultation with the Chairs of the University Committee on Faculty Tenure and the University Committee on Faculty Affairs. Panel members shall serve at the pleasure of the Provost, with vacancies filled in accordance with this procedure.

1. The Chair of the UCFT, in consultation with the Office of the Provost, shall select from the panel a three-person Hearing Committee for each proceeding. The members of the Hearing Committees will serve throughout the duration of the hearing and any appeal processes, if applicable. A list of three alternates will also be maintained for each proceeding in the event that a panel member is unavailable. The Hearing Committee members and alternates must hold the same rank or higher of the faculty member subject to the dismissal proceeding. The Office of the Provost will arrange training about academic personnel policies and the dismissal for cause process for the Hearing Committee and alternates.
2. An alternate will also serve in the event a conflict of interest or other exceptional circumstance precludes a member of the Hearing Committee from serving.
3. No member of a Hearing Committee may serve on a hearing involving a faculty member from the same college in which the hearing member is appointed.
4. During the meeting referenced in Section VII(B)(1)(a) of the Policy, either party may challenge a member of the Hearing Committee on the grounds that the member has a conflict of interest. The standard the Chair of the UCFT shall follow in ruling on the challenge is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be and be seen to be able to fairly and impartially hear the case and render a fair and impartial judgment. The Chair of the UCFT shall rule on any challenges.
5. After the selection of the Hearing Committee, the Hearing Committee shall elect its Chair from its membership. The Hearing Committee Chair shall be in charge of the hearing process from this point until the Hearing Committee has submitted its report and recommendations.
6. The University shall provide legal counsel for the Chair of the UCFT and for the Hearing Committee.

Review Panel to Determine Egregiousness

The Provost, in consultation with the Chair of the UCFT, shall select three individuals from the panel to consider whether the faculty member's conduct is egregious and will be relieved from all duties without pay during the dismissal for cause proceedings, as outlined in Section VII(B) of the Policy. The faculty members selected under Section VII(B) must hold the same rank or higher of the faculty member subject to the dismissal proceeding, and may not be from the same college as the faculty member subject to the dismissal proceeding or as the dean filing the charges. The Provost will ensure that none of the three individuals have a conflict of interest as defined in (4) above.

Appendix II

Procedure for the Hearing

The Chair of the Hearing Committee shall be in charge of the hearing.

1. Legal counsel for the Hearing Committee may be present at all hearings and deliberations.
2. Hearing sessions may be scheduled, at the discretion of the Chair, on any weekday; weekends during the hours 8:00 a.m.â10:00 p.m.; or, by unanimous consent of the parties and Hearing Committee members, on University holidays. Reasonable efforts shall be made to accommodate the scheduling requests of the parties and Hearing Committee members.
3. The hearing shall be conducted in an informal manner to the greatest extent possible. Formal rules of evidence do not apply.
4. The Chair of the Hearing Committee may, in their discretion, exclude evidence, including witness testimony, if the Chair determines that such evidence is not relevant to the charges at issue.
5. The Chair of the Hearing Committee shall read the charges against the faculty member.
6. The Chair of the Hearing Committee shall request an initial statement summarizing the faculty memberâs responses, which may be presented by the faculty member or their advisor or legal counsel.
7. The charging party (or their representative, advisor, or legal counsel) shall present documents /testimony to support the charges. The faculty member and his/her advisor or legal counsel have the right to cross-examine all witnesses. The Hearing Committee will normally withhold questions until the cross-examination of the witness has been completed.
8. The faculty member (or his/her representative, advisor, or legal counsel) shall present documents /testimony to refute the charges. The charging party and their legal counsel have the right to cross-examine witnesses. The Hearing Committee will normally withhold questions until the cross-examination of the witness has been completed.
9. After the faculty memberâs witnesses have completed their testimony, including any cross-examination, the charging party may present rebuttal evidence. Rebuttal evidence shall be limited to new matters introduced in the faculty memberâs case. Surrebuttal evidence (limited to evidence rebutting the charging partyâs rebuttal evidence) shall also be allowed.
10. The charging party (or their representative, advisor, or legal counsel) shall present their closing argument.
11. The faculty member (or their representative, advisor, or legal counsel) shall present their closing argument.
12. The Hearing Committee shall deliberate to prepare its report and recommendations.

Interpretation of the Term "Incompetence" by the University Committee on Faculty Tenure

Last updated: 1/21/2015

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Incompetence is one of several possible causes for the discipline or dismissal of tenure system faculty members.¹ Exercising its authority under sections 4.7.4 and 4.7.5 of the Bylaws for Academic Governance, the UCFT issued this statement on March 24, 1999 as an interpretation of the term "incompetence" in the Discipline and Dismissal of Tenured Faculty for Cause policy, one of the "rules of tenure" at Michigan State University. This Statement was subsequently revised on January 21, 2015.

Interpretation

As used in the University policy on Discipline and Dismissal of Tenured Faculty for Cause, the term "incompetence" refers to the long-term failure, after relevant, targeted developmental opportunities have been provided, to:

1. perform required faculty duties as described in the Faculty Rights and Responsibilities document, Code of Teaching Responsibility, or other University policy; or
2. meet the relevant unit's written standards and criteria for acceptable faculty performance; or
3. meet the expectations associated with the faculty member's specific assignment within his/her unit(s) as delineated in the initial appointment letter or other written agreement with the faculty member.

Expectations for Implementation

In issuing this interpretation, the University Committee on Faculty Tenure expects the following will apply:

1. Dismissal of faculty members for incompetence is an extreme remedy. Absent extraordinary circumstances, other avenues, including the disciplinary procedures described in the Discipline and Dismissal of Tenured Faculty for Cause policy, must be utilized first to correct unacceptable performance before dismissal proceedings are initiated.
2. Colleagues in departments and schools play a primary role in determining if individuals are professionally proficient to serve as faculty members at Michigan State University. The search, appointment and tenure processes provide the mechanisms that units use to judge whether an individual is suitable for appointment to the faculty. Similarly, units (and especially the department chair) have primary responsibility to identify those rare cases where faculty members belonging to their unit are no longer performing their duties at an acceptable level. The annual review of faculty performance plays a central role in evaluating faculty performance and communicating with faculty about the strengths and weaknesses of their performance. The University community expects that each department, college, and school has in place a process of annual faculty review consistent with the statement on Faculty Review issued on February 11, 1997.
3. Performance reviews in different units use different terms to describe levels of performance. Whatever the specific label, unacceptable performance is performance of duties at such an unsatisfactory level that it cannot be allowed to continue. Because of the serious consequences of this evaluation, it is recommended that faculty colleagues in the department or school (or, if necessary, from outside the university) review a unit administrator's determination that an individual's performance is unacceptable. Such a review by faculty colleagues in the department or school (e.g., through the established faculty advisory committee) is required before a recommendation to initiate dismissal proceedings can be made.
4. Faculty members whose performance is found to be unacceptable must reasonably expect to know in writing:

- a. which standards and criteria they must meet to reach acceptable levels of performance in the relevant unit(s);
 - b. within what time period their performance must be remediated;
 - c. the developmental opportunities in which they should engage to remediate their performance;
- and
- d. the potential consequences if performance does not improve to acceptable levels.

Faculty members shall be given an opportunity to provide input on the developmental opportunities and other specific elements of a performance improvement plan before it is implemented.

5. The term "long-term" means a period of time of sufficient length that the developmental opportunities described above have been provided and the period of time provided to improve faculty performance has elapsed. Such a period of time will generally not be permitted to extend beyond five full academic years.
6. The University Committee on Faculty Tenure's statement entitled "Long-Term Disability: An Interpretation of the Tenure Rules" will continue to govern situations involving a tenured faculty member's physical or mental incapacity to carry out the responsibilities for which he or she was appointed.
7. A faculty member's choice of topic or subject for scholarly research or creative endeavors is an exercise of her or his academic freedom rights. Particularly in evaluating unpopular, unfashionable, or unusual research or creative scholarly activities, care must be used to ensure that faculty members' academic freedom rights are respected. In such cases, external peer review should be obtained.

Footnote:

- ¹ [*Discipline and Dismissal of Tenured Faculty for Cause.*](#)

Librarian Continuous Appointment System

Last updated: 4/13/2012

IV. ACADEMIC HUMAN RESOURCES POLICIES

The following policy was approved by the Board of Trustees on June 25, 1977 and revised on June 12, 1987, September 3, 2003 and April 13, 2012.

Appointments in the continuous appointment system are only at the ranks of Librarian III, Librarian II, and Librarian I.

The Provost of Michigan State University, in recognition of the essential contributions of librarians to academic programs, appoints, upon recommendation of the Dean of Libraries, librarians at those professional levels (*Librarian I-II*) which do not involve an immediate award of continuous appointment status. The President approves, upon recommendation of the Dean of Libraries and the Provost, appointments of librarians at the professional level (*Librarian III*) which confer immediate continuous appointment status to those librarians who exhibit strong evidence of the capacity for sustained professional growth.

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

Dismissal of librarians in the continuous appointment system shall use procedures consistent with the policy on Dismissal of Tenured Faculty for Cause.

Probationary appointment periods are calculated from August 16 of the calendar year in which the appointment is effective.

When continuous appointment is granted, it is effective upon the first day of the month after the date of approval.

A librarian with the rank of *Librarian III* in the continuous appointment system is granted continuous appointment (appointment for an indefinite period without a terminal date) from the date of appointment at that rank.

A *Librarian II* who has not served previously at Michigan State University usually is appointed in the continuous appointment system for a probationary period that expires on the fourth August 15 after the appointment year. In some cases, upon the recommendation of the Dean of Libraries, and with the prior approval of the Provost, the probationary period may vary in length from two to five years. If a *Librarian II* is reappointed, continuous appointment is granted. Individuals appointed at the rank of *Librarian II* without continuous appointment have the option of requesting reappointment at any point¹ prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the time specified upon appointment.

In unusual cases, on recommendation of the Dean of Libraries and with the prior approval of the Provost and the President, a librarian initially appointed at the rank of *Librarian II* may be granted continuous appointment from the date of appointment.

A *Librarian I* who has not served previously at Michigan State University is appointed initially in the continuous appointment system for a probationary period that expires on the fourth August 15 after the appointment year and may be reappointed for an additional probationary period of three years. If at any time during these two probationary periods a *Librarian I* is promoted to the rank of *Librarian II*, continuous appointment is granted. If not promoted to the rank of *Librarian II* at the conclusion of the second probationary period of three years, the individual is ineligible for an additional reappointment unless a special extension is approved (see below). Individuals appointed at the rank of *Librarian I* without continuous appointment have the option of requesting promotion to *Librarian II* with continuous appointment at any point¹ prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the normal time.

Extensions in the probationary appointment periods for all librarians appointed in the continuous appointment system require approval of the Dean of Libraries and the Provost (or designee).

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

Evaluation

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

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

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

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

Operating Principles

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

Footnote

¹ Such early reviews would occur on the normal review cycle as established by university and Library procedures.

Specialists

Last updated: 6/12/1992

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on June 12, 1992.

The Provost of Michigan State University, in recognition of the essential contributions of specialists to academic programs, appoints, upon recommendation of the appropriate department chairperson/school director and dean/separately reporting director, individuals at the rank of Academic Specialist or Senior Academic Specialist. Appointments may be made in any academic unit that reports to the Provost or to the Vice President for Research and Graduate Studies. The principal responsibilities of the academic specialist fall into one or more of three functional areas: academic advising/teaching/curriculum development, research and service/outreach. Academic specialists may be appointed on a fixed-term, probationary or continuing basis, full-time or part-time, with either an academic year (nine-month) or annual (twelve-month) duty assignment.

Continuing appointment status assures that the academic specialist will not be dismissed due to capricious action by the University nor will dismissal be used as a restraint of academic freedom or other civil rights. Continuing appointment status does not guarantee employment if positions are not funded, if gross misconduct occurs, if the academic specialist refuses to perform reasonable assigned duties or fails to fulfill contractual obligations, or if the academic specialist is no longer able to perform satisfactorily in his or her professional capacity at the University.

Continuing and Probationary Appointments

An academic specialist who has not served previously at Michigan State University is appointed initially for a probationary period of three years and may be reappointed for an additional probationary period of three years. If an academic specialist is appointed beyond the two probationary periods, continuing appointment status is granted. If at any time during these two probationary periods an academic specialist is promoted to the rank of senior academic specialist, continuing appointment status is granted.

A senior academic specialist who has not served previously at Michigan State University is normally appointed for a probationary period of two to four years. In unusual cases, upon recommendation of the unit administrator(s) and dean(s) and with the prior approval of the Provost, an academic specialist initially appointed at the rank of senior academic specialist may be granted continuing appointment status from the date of appointment. Individuals appointed at the rank of senior academic specialist without continuing appointment status have the option of requesting reappointment at any time prior to the conclusion of the stipulated probationary appointment period. A negative decision on such a request shall not preclude consideration for reappointment at the time specified upon appointment.

Evaluation

All academic specialists shall be evaluated by the appropriate unit administrator before the end of the applicable annual duty period for those on probationary or fixed-term appointment and at appropriate intervals for those with continuing appointment status. A unit review committee will be established to advise the unit administrator about the reappointment, award of continuing appointment status, or promotion of the academic specialist with a probationary or continuing appointment.

Procedures and operating principles for the implementation of the Academic Specialist Appointment System are available in written form in the Office of the Provost and academic unit offices.

See the [Academic Specialist Handbook](#) for additional information.

Administrative Review

Last updated: 10/19/2001

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on April 24, 1991 and revised on October 19, 2001.

Faculty and academic staff members covered by the Faculty Grievance Policy (see FGP Section 1.1) have the opportunity to have personnel concerns reviewed at their request by MSU's academic administrators. The administrative review procedure is an informal process providing such an avenue for faculty/academic staff to request an independent assessment from their department chairperson/school director, dean, and Office of the Provost on such personnel matters as salary status, reappointment, promotion and tenure. This procedure is not intended to supersede informal discussion between the faculty/academic staff member and the department chairperson/school director in resolving these issues. The administrative review process may involve consideration and possible redress of substantive issues (changes in salary, promotion and tenure status, etc.) at department, school and dean levels. The Office of the Provost considers matters of process only, i.e., whether appropriate or applicable procedures have been followed, etc. (Possible redress available is to direct an additional substantive review in the department, school, or college.)

Utilization of the administrative review procedure does not preclude a faculty/academic staff member from pursuing a grievance filed on a timely basis regarding the same matter under the Faculty Grievance Policy. If a grievance is filed, it will be held in abeyance pending completion of the administrative review. However, the administrative review process could not be invoked in cases where a complaint is filed with a court. Requests for an administrative review should be handled in a timely manner.

The administrative review process is initiated by a letter of request from the faculty/academic staff member to the dean of the applicable college; an information copy is also sent to the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs. This letter should be accompanied by materials in support of request. The dean transmits these materials to the relevant department chairperson/school director for review in accordance with usual unit standards, criteria and procedures. On conclusion of this review, which should be based on usual peer review advisory procedures, a written response should be sent by the department chairperson/school director to the faculty/academic staff member. If the faculty/academic staff member is not satisfied with this response, an appeal can be made to the dean for an additional review of the record, which should include an assessment of the original record, the unit's response and rationale, and any commentary the faculty/academic staff member wishes to provide with respect to the unit's response.

On matters of substance, the dean's determination is final. However, if the faculty/academic staff member is not satisfied with the dean's response and the concerns address procedural matters, a request for additional review can be made to the Office of the Provost (Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs). In such cases, the Office of the Provost will review all materials and documents initially provided as well as responses from the unit and the college and any commentary from the faculty/academic staff member regarding the review in the unit and college. The Office of the Provost then makes a final determination on procedural matters based on its review of the procedural record. As noted above, final responses by either the Office of the Dean or the Office of the Provost do not preclude pursuing a grievance under the Faculty Grievance Policy.

Time Limits: Responses by the relevant administrator to the original request or for an appeal should be provided within thirty (30) calendar days, excluding the period May 16 through August 15 if the requirement for usual peer review advisory procedures cannot be met. The administrator may extend the response deadline up to an additional thirty (30) calendar days at her/his discretion. The administrator will notify the

faculty/academic staff member whenever this right to extend the response deadline is invoked, with a copy to the dean and/or the Associate Provost/Associate Vice President for Faculty and Academic Staff Affairs. Responses by chairpersons, directors and deans must be appealed by the faculty/academic staff member within thirty (30) calendars days following receipt of response(s). Failure to appeal means that the matter is concluded on the basis of the last response under the Administrative Review Procedure.

Faculty Grievance Policy

Revised on 6/18/2021

IV. ACADEMIC AND HUMAN RESOURCES POLICIES

This policy was enacted by the Board of Trustees on May 19, 1972, and subsequently revised on April 5, 1971, June 9, 1995, October 22, 1999, June 28, 2002, October 30, 2015 and June 18, 2021.

I. POLICY STATEMENT

This Policy is intended to provide a fair, internal process for resolving employment related disputes that arise between faculty or academic staff members and administrators¹. The formal procedures described in this Policy are intended to be used only when matters cannot be resolved informally. A faculty or academic staff member who feels aggrieved should first seek an informal resolution at the unit, department, or college level before filing a formal grievance under this Policy. The FGO may be consulted for assistance with informal resolution including mediation. The procedures contained in this Policy are not intended to be used to challenge the desirability of unit or University policies.

II. DEFINITIONS

A. Grievance: A written complaint filed by a faculty or academic staff member against an administrator of the University alleging a violation of University, college, department, school, or unit policy or established practice.

B. Faculty member: A person with a paid University appointment at the rank of professor, associate professor, assistant professor, or instructor, including those with fixed-term and visiting status.

C. Academic Staff: A person with a paid University appointment at the rank of academic specialist, lecturer, assistant instructor, research associate, or librarian, including those in a continuing appointment system and those with fixed-term and visiting status.²

D. Administrator: A person appointed as the head of an administrative unit, school director, department chair, dean, or separately reporting director.³ The President, the General Counsel and members of the General Counsel's staff, and the Faculty Grievance Official ("FGO") are not subject to grievance under this Policy.⁴

E. Policy: A written statement of principles and procedures that govern the actions of faculty, academic staff, and administrators, including written rules, bylaws, procedures, or standards.

F. Practice: Actions taken by the administrator within an administrative or academic unit based on customs or standards in that unit that are usually unwritten but of longstanding duration, and for whose existence the grievant can offer evidence.

G. Violation: A breach, misinterpretation, or misapplication of existing policy or established practice.

III. GRIEVANCE PROCEDURE

A faculty or academic staff member may file a formal grievance against an administrator that alleges a violation of University, college, department, school, or unit policy or established practice.⁵

A. INITIATION OF GRIEVANCE PROCEEDINGS

A faculty /academic staff member who feels aggrieved may discuss his/her complaint in a confidential conference with the FGO. The FGO shall inform the faculty /academic staff member if the potential grievance falls under the jurisdiction of another University policy rather than this Policy.

B. FILING A GRIEVANCE

To file a grievance, an individual faculty or academic staff member must submit⁶ a written, signed statement (the "grievance") to the FGO within 28 days⁷ of the date that the grievant knew or should have known of the alleged violation.⁸ The grievance must contain the following information⁹:

1. the specific policy (including the specific section of the policy) or established practice that has allegedly been violated¹⁰;
2. the date of the alleged violation and the date on which the grievant became aware of the alleged violation;
3. the facts relevant to the alleged violation;
4. the person(s) against whom the grievance is filed (the "respondent")¹¹; and
5. the redress sought.

The grievant must also submit any documents that are relevant to the FGO's initial jurisdictional findings pursuant to Section III.D of this Policy.

C. THE RESPONDENT

The FGO will provide a copy of the grievance and any documents submitted with the grievance to the respondent within three (3) days of receipt. The respondent shall submit any relevant documents concerning the FGO's initial jurisdictional findings to the FGO within seven (7) days of receipt of the grievance.

D. JURISDICTIONAL & PROCEDURAL DECISIONS AND JURISDICTIONAL APPEALS

1. The FGO shall determine whether the following jurisdictional requirements have been met within 14 days of the date that the grievance was filed. The FGO may also seek information from appropriate University office(s) to assist in making these jurisdictional determinations.

- a. Whether the grievant has standing under the Faculty Grievance Policy;
- b. Whether the grievance has been filed in a timely fashion;
- c. Whether the grievance identifies an appropriate respondent(s);
- d. Whether the grievance adequately identifies the existing policies and/or established practices alleged to have been violated;¹²
- e. Whether the grievance contains a reasonably adequate statement of the facts relevant to the complaint; and
- f. Whether any other jurisdictional issue(s) need to be decided in connection with the initiation of the grievance and, if so, an explanation of such issues.

2. The FGO shall inform the parties in writing whether each jurisdictional requirement has been met, along with the names of any University offices consulted regarding the jurisdictional decisions.¹³ If any jurisdictional requirement has not been met, the FGO shall dismiss the grievance.

3. Each party shall have the right to appeal the FGO's jurisdictional decisions by filing a written statement explaining the reason(s) for the appeal with the FGO within 14 days of the issuance of such decision (by 5:00 p.m. EST on the filing deadline).

4. If any party files an appeal of the FGO's jurisdictional decision(s), the FGO shall submit the written appeal, together with any written response to the appeal from the parties and a written response by the FGO, to a three-person jurisdictional appeal panel drawn randomly by the FGO from the list of faculty, librarians, and other academic staff eligible to serve as members of the University Hearing Board or University Appeals Board¹⁴. (See Section III.H of this Policy.) The panel shall deliberate and submit to the FGO a written decision (including the basis for its decision) on the appeal within seven (7) days of its convening by the FGO. The appeal panel's decision is binding and may not be appealed (e.g. if a panel upholds a decision to dismiss a grievance on jurisdictional grounds the case is closed). No faculty member, librarian, or other academic staff member may serve on more than one jurisdictional appeal panel in any period of seven consecutive years.

5. The FGO shall forward a copy of the jurisdictional appeal panel's decision to the parties within seven (7) days of its receipt from the panel.

E. INFORMAL RESOLUTION

1. After a grievance has met the jurisdictional requirements and before scheduling a formal hearing, the FGO shall confer with the parties and make every reasonable effort to resolve the grievance informally as quickly as possible. Discussions regarding informal resolution are expected to be treated with confidentiality and may not be disclosed or referenced during any subsequent formal proceedings on the grievance. The FGO may recommend that the grievant drop the grievance because it lacks merit or for other just cause. Such a recommendation, however, shall not be binding on the grievant.

2. If the FGO determines that the grievance cannot be informally resolved, the FGO shall so notify the parties in writing. If the grievant wishes to pursue the grievance, the grievant must submit a written request for a formal hearing to the FGO within 14 days of such notice. Failure to submit such a request will constitute a waiver of the faculty member's right to pursue the grievance.

F. AMENDMENTS PRIOR TO THE HEARING

A grievant may amend his/her grievance until 28 days before the scheduled date for the formal hearing on the grievance, as long as the proposed amendment concerns the same subject matter as the grievance. The FGO shall decide whether to accept the proposed amendment, and any jurisdictional issues generated by the proposed amendment, at least 21 days before the scheduled date for the formal hearing. Either party may challenge the FGO's decision by filing a written appeal with the FGO within seven (7) days of the FGO's decision. Such appeals are processed in the same manner as other jurisdictional appeals under Section III.D.4 of this Policy. Any procedural issues (such as submission of new documents) generated by the amendment shall be decided by the hearing panel at the beginning of the hearing.

G. CONSOLIDATION OF GRIEVANCES

If a grievant files two or more separate grievances against the same respondent(s) that raise related allegations or arise from a common set of facts, the FGO may consolidate such grievances into one grievance to be heard by a single panel. If a grievant files two or more separate grievances concerning different issues and the grievances are not consolidated, such grievances will normally be processed and heard sequentially in chronological order determined by the date on which the initial grievance was filed. Separate grievances filed by different grievants that involve related allegations or arise from a common set of facts may also be consolidated.

H. GRIEVANCE HEARING AND APPEAL PANEL COMPOSITION

1. A University Hearing Board and University Appeals Board shall be established from which grievance hearing and appeal panels shall be selected.
2. All faculty with appointment in the tenure system, librarians and other academic staff with appointment in a continuing appointment system, and full-time fixed-term faculty who have served at least three consecutive years and are engaged in the academic activities of the University on a regular basis are eligible and expected to serve as members of the University Hearing Board or University Appeals Board.¹⁵ No faculty /academic staff member or librarian may serve on more than one grievance hearing or appeal panel in any period of seven consecutive years. At the start of each academic year, Faculty and Academic Staff Affairs will provide the FGO with a list of all faculty, academic staff, and librarians eligible to serve on these Boards.¹⁶
3. A grievance hearing panel shall consist of five members of the University Hearing Board who are selected randomly by the FGO. An appeal panel shall consist of three members of the University Appeals board who are selected randomly by the FGO. Panel members shall serve throughout an entire proceeding.
4. The FGO shall take necessary precautions to avoid any conflict of interest on the part of the panel members. No panel member shall be from the same department(s) (or college in the case of non-departmental colleges) as the grievant or respondent.
5. A panel selected for a grievance involving the denial of reappointment or tenure in the tenure system shall be comprised solely of tenured faculty members. A panel selected for a grievance involving the denial of promotion to full professor shall be comprised solely of tenured faculty who hold the rank of full professor.
6. A panel selected for a grievance involving the denial of reappointment or promotion in an appointment system other than the tenure system shall be comprised solely of faculty members at the same rank.
7. Each grievance hearing panel shall have a Presiding Officer selected at random by the FGO from a list established by the UCFA. The Presiding Officer shall have voice but not be a voting member of the hearing panel. The Presiding Officer shall apply the rules of procedure consistent with the guidelines stated in Section III.I of this Policy.
8. The FGO shall notify each party of the names of the Presiding Officer (if applicable) and members of the panel. Within seven (7) days of that notice, either party may submit a written challenge to the Presiding Officer or any member of the panel for cause. The challenge must explain the cause for removing the Presiding Officer or panel member. The FGO shall determine whether there is cause to dismiss the challenged member of the panel and select another member.¹⁷ In addition, each party shall have two peremptory challenges. The FGO shall notify the parties of any replacement Presiding Officer or members of the panel. Either party may submit a challenge for cause or any peremptory challenge to any replacement Presiding Officer or member of the panel to the FGO within three (3) days of that notice.
9. If a grievance hearing panel loses two or more of its members during the course of a hearing, the hearing shall be terminated, and a new panel selected.

I. GRIEVANCE HEARINGS: PROCEDURES

1. Hearings shall be scheduled as expeditiously as possible and with due regard for the schedule of both parties. Grievances involving faculty/academic staff who hold academic year (AY) appointments will normally not be held during summer semester unless the faculty/academic staff member has a summer appointment. On the rare occasion when a party fails to respond to repeated attempts to schedule a hearing or unreasonably delays the scheduling of a hearing, the Faculty Grievance and Dispute

Resolution Office will schedule the hearing for the first date available to the panel members and the other party.

2. The FGO shall convene the hearing panel and shall be present during all formal proceedings. The FGO shall provide written notice of the time and place of the hearing, the names of counsel, the names of any witnesses, and copies of any documents submitted by the parties and deemed relevant by the FGO, to each party at least seven (7) days before the hearing.
3. The hearing shall be conducted in good faith and must be completed within 14 calendar days unless the FGO determines that an extension of time is necessary.
4. All hearings shall be recorded. A party may request and obtain a copy of the recording from the FGO.
5. Hearings shall be closed unless the parties agree otherwise.
6. The privacy of confidential records used in the hearing shall be respected.
7. All parties may present their cases in person and may call witnesses on their behalf. The names of witnesses must be provided to the FGO at least seven (7) days prior to the hearing date.
8. A party may elect not to appear, in which event the hearing will be held in his or her absence. Absence of a party shall not be prejudicial to the case. The FGO may grant permission for a party to appear via alternate communication methods for good cause.
9. All parties are entitled to counsel¹⁸ of their choice. The name of counsel must be provided to the FGO at least seven (7) days prior to the hearing date.
10. Any party or counsel shall be entitled to ask pertinent questions of any witness or the other party at appropriate points in hearings. The Presiding Officer shall determine what questions are pertinent.
11. The grievant bears the burden of proving that there has been a violation of policy or established practice. A hearing panel shall decide whether the preponderance of the evidence supports the allegations made by the grievant.¹⁹
12. Hearing panels shall resolve any procedural issues raised by the parties, after providing each party the opportunity to be heard on such matters. However, neither party may challenge the FGO's initial jurisdictional findings made pursuant to Section III.D of this Policy. The FGO shall distribute all documents submitted by the parties concerning procedural issues to the hearing panel, and shall include such documents in the grievance record.
13. Hearing panels may consider evidence submitted by the parties concerning the relative credentials of other faculty members in determining the merit of grievances involving salary, appointment, re-appointment, or promotion.
14. Hearing panels shall report their findings and recommendations in writing within 21 days of the completion of the hearing to the FGO, who shall forward them to the grievant, the respondent, their counsel, the Provost, or the President, as appropriate, and to the administrator who is the respondent's immediate supervisor. The hearing panel's report is advisory to the Provost and does not bind the Provost to a particular decision.
15. When a hearing panel sustains an allegation made in a grievance, it shall recommend appropriate redress consistent with existing policies, procedures, and practices.
16. The Provost shall decide the grievance, in writing, within 28 days of receipt of the hearing panel's findings and recommendations.²⁰
17. All parties shall be notified in writing of their right to appeal by the FGO when a copy of any decision is forwarded to the parties.

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Footnotes:

¹ The term "faculty" or "faculty members," as used in this document, applies to all non-union faculty and academic staff.

² Academic staff with an MSU Extension appointment are exempt from this policy and should refer to the MSU Extension Academic Appeals Process. Degree candidates completing an internship at MSU as part of their professional degree requirements are also exempt from this policy.

³ Non-academic administrators are not subject to grievance under this Policy.

⁴ If a grievance is filed against the Provost individually, a hearing will be held pursuant to Section III.I of this Policy. The finding(s) and recommendation(s) of the Hearing Panel will be forwarded to the President for decision instead of to the Provost. The President's decision will be final and not subject to appeal.

⁵ This Policy and its grievance procedures may not be utilized by faculty or academic staff who are covered by a collective bargaining agreement.

⁶ The grievance and any supporting documentation should be submitted electronically by 5:00 p.m. EST on the filing deadline. The FGO will confirm receipt via email, however, it is ultimately the responsibility of the grievant to ensure its receipt.

⁷ References to days in this document are to calendar days. If a deadline contained within this Policy falls on a weekend or University holiday or University closure, the deadline will be extended to the next day on which the University is open for business. The FGP does not restrict dates for submitting grievance documents to the academic year calendar; grievances are processed regardless of the timing of the academic year calendar with the exception of formal hearings which typically do not take place in the summer.

⁸ The FGO may waive or extend the time limits specified in this Policy for good cause or by mutual agreement of the parties. "Good cause" includes, but is not limited to, circumstances outside of a party's control, such as illness, approved leave of absence, or extended travel for University business. Even with a showing of good cause, time limits will generally not be extended beyond an additional 28 days.

⁹ A grievance may not be amended once it has been submitted and processed by the FGO prior to the issuance of jurisdictional determinations.

¹⁰ A grievant should cite the policy/handbook related to their contractual appointment (i.e., Tenured Faculty or Academic Specialist).

¹¹ The respondent(s) named in a grievance should be limited to the administrator(s) that issued in writing the action(s) being grieved, e.g., while a Dean or other administrator may be in attendance at an intent-to-discipline meeting or an actual discipline meeting per Section VI.A of the Faculty Handbook Discipline and Dismissal of Tenured Faculty for Cause Policy, the only respondent(s) named in a grievance is the administrator who has formally imposed the written discipline (in consultation with the Dean's office and Faculty and Academic Staff Affairs).

¹² As part of the initial jurisdictional determination, the FGO shall determine whether the policy specified in the grievance applies to the named respondent.

¹³ In keeping with current MSU established practice, notices provided under this Policy will be sent via email to the assigned msu.edu email address for both the grievant and respondent. Additional modes of dissemination (e.g., campus or U.S. mail, non-MSU e-mail) may be added, but MSU email is the official mode of communication used by the FGO.

¹⁴ Appeal panels may meet face-face or conduct meetings via University-approved virtual technology, which

shall be determined by the FGO in keeping with University guidelines.

¹⁵ An individual who also holds an appointment as an Administrator is not eligible to serve as a presiding officer or as a member of the University Hearing Board or University Appeals Board.

¹⁶ An individual who is on a sabbatical or other approved leave of absence is excused from service on the University Hearing Board and University Appeals Board for the duration of the leave.

¹⁷ The standard the FGO shall follow in ruling on challenges is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be able to fairly and impartially hear the case and to render a fair and impartial judgment.

¹⁸ The FGO recommends that grievants utilize faculty or other MSU personnel to serve as counsel; in the event that a grievant chooses to bring a personal attorney then an attorney from the MSU Office of General Counsel will be provided for the respondent.

¹⁹ "Preponderance of the evidence" means that the existence of the fact in issue is more probable than not. The "preponderance" of the evidence standard would be met where the members of the hearing panel find that the evidence supporting at least one of the allegations in the grievance is more convincing than the opposing evidence.

²⁰ The FGO shall forward the Provost's decision to the parties, their counsel, and the members of the hearing panel within three (3) days of its receipt.

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Faculty Grievance Policy (continued)

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IV. APPEALS OF PROVOST'S DECISION

A. Initiation of Appeals

1. The decision of the Provost in response to the findings and recommendations of the initial hearing panel may be appealed to the University Appeals Board. Appeals must allege either that there has been a prejudicial violation of the procedures established for the conduct of the initial hearing, and/or that the decision of the Provost is not consistent with the preponderance of the evidence presented at the initial hearing.
2. A written appeal must be filed with the FGO within 28 days of receipt of the decision of the Provost. Failure to appeal within the prescribed time shall be deemed acceptance of the Provost's decision.
3. If an appeal is filed, the Provost's decision on the grievance shall not be implemented, except insofar as the appeal is dismissed on jurisdictional grounds or the decision is subsequently ratified by the President.

B. Appeal Panel Procedures

1. The FGO shall randomly select a three person appeal panel from the University Appeals Board. (See Section III.H of this Policy for selection criteria).
2. Appeals shall be decided upon the written appeal, the record of the hearing, the Provost's decision, any written response to the appeal submitted by the parties, and a recommendation provided by the FGO. The parties may not submit new information or evidence unless the information/evidence is relevant to the appeal and was previously unavailable to the party although the party acted with due diligence to obtain such evidence.
3. Upon receipt of the appeal, the appeals panel will determine whether the jurisdictional requirements described in Section IV.A.I of this Policy have been met. If the jurisdictional requirements have not been met, the appeal will be dismissed and the decision of the Provost shall stand.
4. If the appeal panel determines that it has jurisdiction to consider the appeal, the appeal panel will review the materials described above and recommend the affirmation, reversal, or modification of the Provost's decision on the grievance. The panel may also recommend that the grievance be reheard by a new grievance hearing panel if it determines there was a prejudicial violation of the procedures established for the conduct of the initial hearing.
5. The findings and recommendation of the appeal panel shall be forwarded to the FGO within 21 days of the completion of the panel's review of the appeal. The FGO shall forward the findings and recommendations to the President and to the parties and their counsel within three (3) days of its receipt.
6. For stated cause, the President may return the findings and recommendations to the appropriate panel once for reconsideration.
7. The President shall decide the appeal within 28 days of receipt of the appeal panel's findings and recommendations. The FGO will forward a copy of the President's decision to the parties, their counsel, and the members of the appeal panel within three (3) days of its receipt.

V. CONFIDENTIALITY

All records and information related to grievance proceedings under this Policy (both formal and informal) shall be kept confidential to the degree permitted by law. The FGO, parties to the grievance, their counsel, and other relevant administrators and faculty (including witnesses, presiding officers, and panel members)

shall respect the confidentiality of information and records and the privacy of all parties whose interests are affected by a grievance.

VI. OTHER UNIVERSITY POLICIES

A. This Policy does not preempt or replace the Anti-Discrimination Policy ("ADP") or the Relationship Violence & Sexual Misconduct Policy ("RVSMP"). Any grievance alleging violation of the RVSMP or discrimination or harassment in violation of the ADP will be referred to the appropriate University office for investigation and determination regarding those claims. The remainder of the grievance will proceed but will be revised to remove all references to the claims of discrimination/harassment or violation of the RVSMP.

B. A grievant must promptly notify the FGO if he or she initiates litigation against the University while a grievance is pending. A grievant may not pursue a complaint under this Policy while litigating the same issue (s). A grievance filed under this Policy shall be held in abeyance by the FGO pending the conclusion of the litigation.

C. Decisions and actions taken by an Institutional Review Board (IRB) and its Chairperson cannot be grieved under this Policy. However, disciplinary action imposed by an administrator on the basis of IRB action is grievable under this Policy.

D. Decisions and actions taken under the Procedures Concerning Allegations of Misconduct in Research and Creative Activities, the Anti-Discrimination Policy, the RVSMP, or the Faculty Conflict of Interest Policy cannot be grieved under this Policy. However, disciplinary action imposed by any administrator on the basis of a decision under one of these policies is grievable under this Policy.

VII. INDEMNIFICATION

In accordance with the University's Indemnification Policy, indemnification shall be provided to the FGO, the FGO staff, members and Presiding Officers of hearing and appeal panels, and University faculty serving as unpaid, volunteer counsel for the parties to a grievance, in their roles as participants in a grievance.

VIII. UNIVERSITY COMMITTEE ON FACULTY AFFAIRS

A. The University Committee on Faculty Affairs (UCFA) serves as an advisory committee to the FGO regarding the University's faculty grievance process.

B. The UCFA shall participate in the appointment, reappointment, and evaluation of the FGO, as described in the Appendix to this document.

C. The UCFA shall periodically review the performance of the FGO according to the procedures set forth in the Appendix to this document.

D. The UCFA shall have the responsibility to ensure that the procedures set forth in this document are fully implemented.

IX. FACULTY GRIEVANCE OFFICIAL

A. The FGO shall attempt to resolve grievances informally and without resort to formal hearings and to assure that all formal hearings are conducted in accordance with the procedures prescribed in this document.

B. The FGO shall administer the grievance procedures as set forth in this document and shall advise the parties about appropriate procedures to follow.

C. The FGO may request and shall have broad access to all relevant University information and records related to a pending or potential grievance, except those required to be kept confidential by law or contractual obligation. Upon request from the FGO, individuals or units should provide documents to the FGO in a form that protects the privacy and confidentiality of third parties. The FGO will share the documents with the grievant/potential grievant if the FGO determines that the documents are relevant to the grievance/potential grievance and that the grievant/potential grievant has need of them for resolution of the grievance.

D. Upon the request of either party, the FGO has the authority to request that appropriate individuals discontinue or postpone any action threatening irreparable harm to any party to a grievance pending final disposition of a grievance.

E. The FGO shall not serve as advocate for any party to any grievance and may participate in a grievance proceeding only as FGO.

F. The FGO may recommend to the UCFA changes in this Policy.

G. The FGO shall report once a semester to the UCFA and once each academic year to the University Council, and shall sit as an ex officio member of the University Council.

H. The FGO shall forward to the Chairperson of the UCFA a copy of all decisions of the Provost and President. The Chairperson of the UCFA may share the decisions with the members of UCFA. The Chairperson of UCFA and the members of UCFA shall maintain the confidentiality of the decisions.

I. The FGO shall maintain records of all grievances.

X. REVISION OF THIS POLICY

A. Any faculty member or administrator may propose revisions to this Policy.

B. All proposals for revision shall be submitted to the UCFA, which shall consider them and forward them to the Faculty Senate.

C. If approved by the Faculty Senate, the proposal shall be submitted to the University Council.

D. Proposed amendments and revisions approved by the University Council shall be forwarded to the President for action by the Board of Trustees and shall become effective upon Board approval.

XI. HISTORY

An Interim Faculty Grievance Policy was approved by the Board of Trustees on May 19, 1972. A revised Faculty Grievance Policy was approved by the Board of Trustees on April 5, 1991 and revised on June 28, 2002, August 16, 2009, December 18, 2015, and June 18, 2021.

APPENDIX

Appointment, Reappointment and Evaluation of the FGO

I. Appointment of and Support of the FGO

1. UCFA shall prepare a list of candidates for presentation and discussion with the Provost and President.

2. Upon approval of the Provost, the President shall appoint the FGO for a term not to exceed five years. The President may reappoint the FGO for additional terms of up to five years each.
3. The FGO shall work with but be independent of the other administrative structures of the University in the pursuit of grievance dispute resolution.
4. The UCFA shall consult as necessary with the Provost and President concerning salary, budget, office, and staff for the FGO.
5. Whenever a vacancy occurs in the FGO position, the UCFA shall confer and recommend to the Provost and the President an individual to serve as Acting FGO.

II. Evaluation and Reappointment of the FGO

1. The UCFA shall annually evaluate the FGO pursuant to criteria established by the UCFA in consultation with the Provost and the President.
2. The UCFA shall discuss the evaluation with the FGO and shall forward its evaluation and a recommendation as to salary to the Provost and President.
3. The UCFA shall establish procedures for review of the FGO's performance which shall be undertaken when reappointment of the FGO is under consideration. Such procedures shall involve input from individuals who have participated in grievances as grievants, respondents, their counsel, or hearing or appeal panel members or presiding officers.
4. If the FGO is a candidate for reappointment, the UCFA shall conduct a review of all of the FGO's years of service and submit a recommendation on the FGO's reappointment to the Provost and President

[Return to Page 1 of Faculty Grievance Policy](#)

Leave Policies

Last updated: 6/11/1993

IV. ACADEMIC HUMAN RESOURCES POLICIES (*Cont.*)

The following policy was approved by the Board of Trustees on June 11, 1993.

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

Leaves of absence, other than for sickness or for military service, are not granted automatically but are intended for the mutual benefit of the University and the faculty/academic staff member.

Leaves will not be granted unless satisfactory arrangements are made in advance to:

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

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

A faculty/academic staff member who without good cause fails to return to the University within a reasonable time after a term break, sabbatical, or other leave of absence, shall forfeit rights to further employment and shall be considered as having resigned. In such circumstances, the following procedures shall apply in lieu of the Dismissal for Cause procedures.

The Provost or designee shall inform the faculty/academic staff member that the failure to return may be treated as a resignation and provide the person with an opportunity to respond. If the faculty/academic staff member cannot be contacted after a reasonable effort, the Provost or designee shall proceed on the basis of the information available.

The Provost or designee shall decide whether the failure to return shall be considered a resignation. The faculty/academic staff member may initiate a grievance under the [Faculty Grievance Policy](#) if he or she disagrees with the Provost or designee's decision within 30 days of receipt of the Provost's or designee's decision. If a grievance is filed, the faculty member will be granted an unpaid leave during the pendency of the grievance. In the case of tenured or tenure system faculty, the initial hearing panel shall include at least three members of the University Committee on Faculty Tenure.

Sabbatical Leaves of Absence

Last updated: 11/19/1993

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

LEAVES OF ABSENCE (Cont.)

The following policy was approved by the Board of Trustees on May 25, 1956 and revised on November 19, 1993.

General Policy

1. A sabbatical leave is intended for the mutual benefit of the University and the faculty member granted a leave. The purpose is to encourage academic and institutional revitalization by providing sustained time for research/creative activities; development of new courses or programs; acquisition of expanded and/or new qualifications and skills; contribution to academic unit plans to improve and/or refocus instructional, research, or public service activities in accordance with the mission of the University.
2. A sabbatical leave is not granted automatically. Each request for a sabbatical leave must include a detailed description outlining the purposes, objectives and scholarly and research activities of the leave and normally should be submitted six months in advance of the starting date of the leave. The plan should indicate how the objectives and accomplishments of the leave will advance the interests and capabilities of the faculty member for fulfilling the aims, objectives and goals of the department /school, college or University. All leaves must have the approval of the appropriate administrators and of the Provost or designee.
3. Within thirty (30) days following the conclusion of a sabbatical leave, a sabbatical leave report, with a separate summary not to exceed one page in length, must be submitted to the department chairperson /school director or dean of a non-departmentally organized college. The report should include an assessment and evaluation of the leave accomplishments in relation to the sabbatical leave plan. Departments/schools and non-departmentally organized colleges should retain a copy of the sabbatical leave report in applicable unit files.

Eligibility

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

Types of Sabbatical Leaves

1. For faculty on academic year appointments, sabbatical leaves are of two types:
 - One term with no reduction in pay.

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

Conditions

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

Departmental Adjustments

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

Links

[Sabbatical Leave Implementation Form](#)

[Sabbatical Leave Implementation Information](#)

Leave of Absence Without Pay

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (Cont.)

WITHOUT PAY

Faculty/academic staff granted an approved leave of absence without pay may continue in force the optional benefit programs by paying the full cost of all premiums. The same University contribution toward the dental premium continues for up to 24 months while on a leave of absence without pay. Coverage for other optional benefits may be continued by making cash payments for as long as the approved leave continues. Payments for benefits to be kept in force should be made directly to Michigan State University and sent to the [Human Resources Solutions Center](#) no later than the first day of the month for which the payment is due. Optional benefits not maintained will be reinstated upon return to active employment in an eligible benefits status.

A faculty/academic staff member on a Family Medical Leave (FMLA) will have their health and dental benefits continued at the same level and with the same premium contribution as prior to the FMLA leave. Any share of premiums which had been paid by the individual prior to the leave must continue to be paid during the leave, otherwise coverage will be canceled.

Faculty/academic staff member contributions for the 403(b) Base Retirement Program will be suspended during the period of the leave.

Provisions are available to faculty/academic staff members on leave due to acceptance of prestigious awards or fellowships for the continuation of applicable University benefits. Additional information should be requested from MSU Human Resources. (See [Continuation of Benefits for Faculty on Leave of Absence No Pay Status to Receive Prestigious Awards, Fellowships and/or Special Assignment Opportunities.](#))

Leave Without Pay Dates: For Academic Year Appointed Faculty and Academic Staff

Last updated: 6/21/2010

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This advisory statement was issued by the Office of the Provost on May 28, 1993 and revised on June 21, 2010.

Pay for faculty and academic staff requesting a leave without pay will be handled as follows:

Fall Semester

Faculty and academic staff on a leave without pay for fall semester are released from university responsibilities for the period 8/16 through 12/31, and off the university payroll for the period 8/16 through 12/31.

Spring Semester

Faculty and academic staff on a leave without pay for the spring semester are released from university responsibilities for the period 1/1 through 5/15, and off the university payroll for the period 1/1 through 5/15.

Faculty and academic staff on leave of absence without pay should contact Human Resources (517-353-4434) to clarify the impact of the unpaid leave on the benefit programs.

Continuation of Benefits for Faculty on Leave of Absence No Pay Status to Receive Prestigious Awards, Fellowships and/or Special Assignment Opportunities

Last updated: 4/22/1987

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on May 6, 1985 and revised on April 22, 1987. ¹

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

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

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

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

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

Request Procedures

On receipt of the above-referenced types of awards, fellowships, and special assignment opportunities for which the source institution does not provide applicable benefits, a tenure system faculty member may request, with written endorsement of the applicable chairperson/director and dean, that the Office of the Provost arrange with the Benefits office for the continuation of the applicable University benefits (see below) not provided by the source agency or institution. Such written requests must provide a statement that the leave of absence without pay is to accept a prestigious award, fellowship, or other special assignment opportunity that is in the interest of both the individual and the University. Information in support of the request must include: a) specifics of the award/fellowship or assignment, including the regular University benefits provided as well as not provided by the source agency/institution; b) documentation from the source agency/institution of its benefits policy; c) the specific assignment(s) to be performed while on leave of

absence without pay; and d) how the activities entailed in the award, fellowship, or special assignment opportunity advance the interests of the individual and the University. Requests must be initiated by the faculty member, and the continuation of benefits is not an entitlement; each case is to be reviewed on its merits.

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

Possible Benefit Coverage

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

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

Salary-related benefits, e.g., University contributions to the 403(b) Base Retirement Program, social security, etc., will not be provided during a leave of absence without pay. Continued benefits which are linked to an individual's salary status, e.g., expanded life insurance, LTD, will be based on the applicable University salary rate immediately prior to the leave of absence without pay.

Requests for eligibility under this program should be directed to the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs after review and concurrence by the chairperson(s) and dean(s)/separately reporting director(s).

Footnote:

¹ Eligibility under this program is provided for tenure system faculty members who are recipients of prestigious awards or fellowships or participate in special assignment opportunities which are in the interest of both the individual and the University. Individuals holding either full-time appointments in other academic personnel continuing appointment systems (the Librarian Continuous Appointment System, the Continuing Appointment System for the Facility for Rare Isotope Beams/National Superconducting Cyclotron Laboratory, the Academic Specialist Continuing Appointment System, MSU Extension Continuing Appointment System, and those holding Executive Management appointments) or full-time regular, university support staff appointments also are eligible to request coverage under this policy if they are recipients of awards, fellowships, or special assignment opportunities comparable to those described above. Requests from individuals appointed in academic personnel continuing appointment systems should be forwarded to the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs after review and endorsement by the applicable unit administrator and dean/separately reporting director. Requests from university support employees should be forwarded to the Assistant Vice President for Human Resources after review and endorsement by the applicable unit administrator and dean/separately reporting director, or other appropriate administrator.

Funeral / Bereavement Leave for Faculty/Academic Staff

Revised: 3/1/2023

In the case of death of a faculty/academic staff's family member, five days of paid time off work for the purposes of bereavement and associated activities shall be allowed. If additional time is needed, the faculty/academic staff member may make a request, in writing, to their unit's administrator, who will communicate their decision in writing. Decisions will be made in consideration of individual and unit needs. The faculty/academic staff member may appeal an adverse decision to the appropriate administrator at the next higher administrative level. The granting of such requests shall be made at the discretion of the administrator. If the additional requested time results in a total leave of more than ten working days then vacation time, as applicable, or a leave of absence without pay may be considered.

The distinction of who qualifies as a family member shall be made by the faculty/academic staff member, but is generally taken to mean a person to whom the faculty/academic staff member has close familial, or familial-like ties.

Medical Leave (Short and Long-Term Disability)

Last updated: 1/1/2000

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Short-Term Disability

This policy was issued by the Office of the Provost in 1978 and revised in 2000.

Faculty and academic staff members who are appointed on a full time basis¹ are eligible for up to six months of paid leave if health problems prevent the individual from working. (Normally, short term disability leave related to pregnancy, childbirth and/or recovery is for six weeks, but may be longer with proper medical certification²). It is the responsibility of the individual faculty/academic staff member to promptly notify the department chairperson, director, or immediate supervisor of absence due to illness or disability.

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

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

Faculty/academic staff returning from medical leave may be required to obtain approval from the attending physician before returning to work.

Long-Term Disability

If disability of a faculty or academic staff member appointed for nine months or more on a full-time basis extends or is likely to extend beyond 180 days, Human Resources should be contacted immediately for information on applying for benefits under the Long-Term Disability plan and Social Security. (See [Long-Term Disability: An Interpretation of the Tenure Rules.](#))

Footnote:

¹ Short-term medical leave also applies to part-time faculty and academic staff members appointed for 50 percent or more time for nine months or more.

² In such cases of short term disability leave, additional leave under the Parental Leave policy for faculty and academic staff may be provided. Note that the combination of Short Term Disability and Parental leave replaces the 12 weeks normally provided by the Maternity Leave policy, which has been discontinued.

Parental Leave for Faculty and Academic Staff

Last updated: 01/01/2017

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on December 27, 2000 and revised on January 1, 2017.

Faculty and academic staff who are appointed on at least a 50 percent basis for nine months or more are immediately eligible for parental leave in accordance with this policy. This policy is to be read in coordination with the Short-Term Disability policy and the Family and Medical Leave Policy for faculty and academic staff.¹

Faculty and academic staff are eligible to receive up to six (6) weeks of paid parental leave in connection with the birth of a child. Faculty and academic staff who adopt a child younger than age six and/or not attending school full-time are eligible to receive up to six (6) weeks of paid parental leave. Additional unpaid leave may be available for the birth of a child or the placement of a child for adoption or foster care in accordance with the Family and Medical Leave Policy and/or the policy regarding Leaves of Absence Without Pay for faculty and academic staff.

In situations where the University employs both parents of a newborn/adopted child as faculty/academic staff, each may have six (6) weeks of paid parental leave under this policy. Parents employed in the same department or school should plan the timing of their leaves in consultation with the chairperson, school director or dean. Depending on the circumstances, additional unpaid leave may be available pursuant to the Family and Medical Leave Policy or with the approval of the academic unit administrator.

Requests for parental leave must be accompanied by evidence of adoption or by a health care provider's medical certification that provides the projected delivery date. Faculty and academic staff are expected to make leave arrangements with the academic unit administrator as far in advance as possible. The timing of parental leave can be arranged to provide some variation in scheduling the leave of absence period before and/or after the projected delivery/adoption date in recognition of constraints associated with academic responsibilities. Faculty and academic staff are encouraged to schedule leave periods with input from the academic unit administrator regarding the needs of the individual unit.

Leave for purposes relating to ongoing child care is not to be confused with parental leave or medical leave of absence relating to pregnancy and child birth. Faculty and academic staff may arrange to use available vacation time or leave without pay for child care purposes with the approval of the academic unit administrator.

[Parental Leave Frequently Asked Questions](#)

Footnote:

¹ In cases where a faculty/academic staff member provides medical certification that she is unable to work due to a disability related to pregnancy, childbirth and/or recovery, such absences will be covered by the Short Term Disability Policy for faculty and academic staff. Normally, short term disability leave related to pregnancy, childbirth and/or recovery is for 6 weeks but may be longer with proper medical certification.

Family and Medical Leave

7/19/18: updated contact at end of page

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The Family and Medical Leave Act (FMLA) of 1993 requires that eligible employees be allowed to take unpaid leave, or paid leave if earned, for a period of up to twelve work weeks in any twelve month period (defined by MSU as the fiscal year, i.e., July 1 through June 30) for the following reasons: incapacity due to pregnancy, prenatal medical care or child birth; to care for the employee's child after birth, or placement for adoption or foster care; to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or for a serious health condition that makes the employee unable to perform the employee's job.

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a 12-month period beginning on the first day of leave. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

The Act provides that an employee may use his/her leave entitlement intermittently or on a reduced leave schedule when medically necessary. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Health and dental benefits, if enrolled, will be maintained at the same level and under the same conditions as coverage would have been provided if the faculty/academic staff member were continuously employed during the entire leave period.

Faculty and academic staff who have regular appointments of nine months or longer at 50% time or more and have been employed by MSU for at least twelve months are eligible under FMLA. Faculty and academic staff with fixed-term appointments of less than nine months or less than 50% time who have been employed by MSU for at least 12 months and have at least 1,250 hours of service during the twelve months immediately preceding the commencement of FMLA leave are also eligible.

Faculty and academic staff are required to use paid leave provided by the short-term disability leave of absence policy (see preceding section) in the case of pregnancy, childbirth and/or recovery or their own "serious health condition" and count it toward the twelve weeks of leave permitted under the FMLA. Short term absences that are not "serious health conditions" do not count toward the twelve weeks of FMLA leave. Faculty and academic staff may choose to use vacation leave for all or part of any otherwise unpaid FMLA leave, e.g., for the "serious health condition" of a family member. Vacation leave for such purposes is counted toward the twelve weeks of leave permitted under the FMLA.

FMLA leave shall be concurrent with parental and other paid/unpaid leaves of absence taken for FMLA reasons. For example, faculty and academic staff are not entitled to an additional twelve weeks of FMLA leave for birth of a child after the conclusion of a 12-week leave provided under the short-term disability and parental leave policies.

FMLA leave will not be provided beyond the end date of a fixed-term appointment.

Faculty and academic staff must provide their department chairperson/school director at least 30 days advance notice before FMLA leave is to begin if the need for the leave is foreseeable. Otherwise, notice must be given as soon as practicable. Units may require medical certification to support a request for leave because of a serious health condition and may require second or third opinions (at the unit's expense) and a fitness for duty report to return to work.

Questions regarding the FMLA may be directed to your department/school, Faculty and Academic Staff Affairs (353-5300) or the Human Resources Solutions Center (353-4434).

Leaves: Military Service

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

The University cooperates fully with faculty/academic staff members taking part in the reserve program of the military forces which calls for up to 15 days active duty training annually with the National Guard, Officers' Reserve Corps, or similar U. S. military organizations. The University will pay the faculty/academic staff member the difference between military pay and allowances and normal take-home pay for up to 15 calendar days when ordered to active duty for training, and for up to ten additional calendar days per fiscal year when ordered to active duty for the purpose of handling civil disorders.

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

Vacation

Last updated: 1/1/1970

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost in 1970.

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

Eligibility

1. Faculty and academic staff members holding appointments on an annual year basis, with more than six months service, are eligible for annual vacation leaves. Faculty and academic staff holding academic year appointments are not eligible for vacation leave.
2. Faculty and academic staff members holding appointments on an annual year basis receive annual vacation leave equivalent to one month (22 working days) in twelve months. Proportional allowances are granted to appointees with more than six months of service but less than twelve. Vacation allowances are granted on July 1 of each year. Vacation time is to be charged against this accrual; the accrual will be proportionately reduced in the event of resignation/termination during the fiscal year or for other non-accrual time such as workers' compensation, long-term disability, leave without pay, etc.
3. Part-time faculty and academic staff members holding appointments for fifty percent or more time on an annual year basis receive vacation on a proportional basis.
4. Vacation must be taken during the fiscal year.
5. Vacation leave may not exceed one month (22 working days) in the fiscal year and is not cumulative.

Scheduling

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

Pay in Lieu of Vacation

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

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

Transfers

Unused vacation allowance not exceeding one month will be transferred with a faculty/academic staff member when the individual transfers from one position, budget or operating unit to another. If a faculty/academic staff member is transferred from an instructional staff appointment to a professional,

administrative, or other type of appointment, a transfer of the balance based on one month less actual vacation days used during the past fiscal year will be made.

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

Bridging Breaks in Service

Last updated: 11/4/2011

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was issued by the Office of the Provost on August 16, 1982 and revised on November 4, 2011.

To provide a consistent definition of continuing employment for University employees, the policy for bridging breaks in service provides that service breaks for faculty/academic staff of twelve months or less result in the reinstatement of the previous employment date for purposes of retirement service credit and for benefit eligibility. To bridge breaks in service, the following conditions must be met:

1. The employee must have a minimum of one year of service prior to the break in employment; and,
2. The maximum accumulation of bridged time is two years, i.e., the sum total of individual breaks in service cannot exceed two years.

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

This policy will be implemented automatically by the Office of Faculty and Academic Staff Affairs at the time individuals are subsequently reappointed. For individuals seeking to clarify their continuing employment status, it will be necessary to submit a written request to Faculty and Academic Staff Affairs, 1407 S. Harrison Rd, Suite 110. The following information should be included in the written request: (1) Name (indicate if previously employed under a different name); (2) Social Security Number, (3) Present Department; (4) Previous Employment Date; (5) Separation Date; and (6) Re-employment Date.

Questions regarding the bridging policy should be directed to Faculty and Academic Staff Affairs, 517-355-1526; contact Human Resources, 517-353-4434, regarding eligibility for benefit coverages.

Credit for Past Service

Last updated: 6/6/2019

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on March 16, 1987, and revised on June 6, 2019.

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

1. Employees¹ who terminate employment from Michigan State University for more than twelve (12) months and subsequently are re-employed as faculty/academic staff by MSU for five (5) or more continuous years at half-time or more are eligible to apply for credit for the previous employment.
2. A minimum of one year of service² (at 50% time or more) prior to the date of termination is required to apply for credit for past service.
3. Approved leaves of absence or sabbatical leaves do not constitute a break in service.

Credit for past service applies solely to the minimum retirement requirements and has no effect on any other University benefits or programs. To apply for credit for past service, faculty/academic staff must submit a written request to MSU Human Resources, after establishing five years of continuous re-employment.

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

For information on retiring from the University, please see the [Policy for Retiring from the University](#). For more information on the benefits available for official MSU retirees, including the University's contribution toward health and dental and detail on Full Time Equivalent (FTE) Service Months, please see the [Retiree Benefits Policy](#). For a summary of how benefits will change in retirement, please see the [Effect of Retirement on Benefits](#).

Questions regarding this procedure should be directed to MSU Human Resources, 517-353-4434.

[1] For purposes of this policy, "employees" include faculty, academic staff, or support staff.

[2] One year of service includes academic year (AY) appointments.

Retirement Eligibility Requirements for Faculty and Academic Staff

Last updated: 12/6/1991

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on February 17, 1962 and revised on December 6, 1991.

Eligibility Policy

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

1. Retirement of faculty/academic staff members is optional on the first day of the month following attainment of age 62 with 15 years of service or after 25 years of service at any age.¹ For more detail, please see the [Retiring from the University Policy](#).
2. Tenure system faculty members appointed prior to January 1, 1992 who meet the retirement eligibility requirements in 1, above, may serve their final year before retirement on a terminal consultantship basis with agreed upon duties involving at least a half-time assignment provided there were no compensated leaves in the five years immediately prior to retirement. Recommendation for such consultantship must be made by the department chairperson/school director and dean. The salary must be provided by the department/school. In applying for a terminal year consultantship, the faculty member must attach a letter to the retirement form outlining the proposed duties during the consultantship. At the end of the consultantship period, a report on the accomplishments is to be submitted to the department chairperson/school director or dean of a non-departmentally organized college. The special retirement form for a consultantship is available at [Special Retirement Situations](#).
3. A retired faculty/academic staff member may be re-employed, usually for part-time service, on a semester-to-semester or year-to-year basis. Salary will be determined at the time of appointment for such service. Retired faculty/academic staff who return to active employment at 50% time or more for nine months or longer are eligible to receive benefits such as health, dental, employee paid life, travel accident, 403(b) Base Retirement Program with University contribution, and 403(b) Supplemental Retirement Program and/or 457(b) Deferred Compensation Plan, in the same manner as an active employee.

Footnote:

¹ Service includes activities of interest to and supported by the University regardless of the sources of financial support.

Working Retirement Options

Last updated: 11/19/1993

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following advisory statement was issued by the Office of the Provost on March 1, 1993 and revised on November 19, 1993.

Michigan State University deeply appreciates the many years of loyal service and creative contributions of its retired faculty and considers them a continuing important resource for the institution. The university encourages the use of their accumulated professional skills, as appropriate, for the benefit of Michigan State as well as for retirees themselves. Upon retirement, faculty discontinue their full-time roles, but many may wish to provide their lifetimes of professional expertise to the university in a variety of ways. Indeed, such relationships may provide meaningful opportunities to phase into retirement while continuing to assure university access to important human resources.

Service to Michigan State University may be in a variety of areas including but not limited to:

- teaching courses and seminars and providing occasional lectures
- research and outreach activities
- administrative consultation and assistance
- undergraduate and graduate advising, mentoring, and retention activities
- internship development and supervision
- admission/recruiting activities
- alumni relations
- academic governance input at various university levels
- university, college, and unit committee assignments
- development office activities

With the approval of the chairperson or director of the department or school, an Emeritus faculty member in a working retirement appointment may serve as one of the four required MSU regular faculty and may serve as a chairperson or member of a doctoral student's guidance committee.

Participation in the MSU Retirees Association is another avenue through which retired faculty can engage in meaningful opportunities and make valuable contribution to the university.

The university views retired faculty, in addition to their specialized disciplinary expertise, as an important continuing asset to this institution. Emeritus faculty can and do contribute in a variety of important ways at Michigan State University.

Creative Working Retirement Options

Deans, chairpersons, and directors are encouraged to actively explore, with current as well as prospective emeritus faculty, opportunities for creative working retirement options that are mutually beneficial and agreeable. For active faculty who relinquish tenure at the time of retirement, such arrangements will provide opportunities to continue to make key contributions to the university while phasing into retirement.

Chairpersons, directors, lead deans, and other appropriate administrators are responsible for negotiating specific appointment possibilities involving the activities described above as well as others, the nature of the appointment (full- or part-time), and the length of the appointment commitment. Such post-retirement appointment agreements can be for a fixed term or renewed on a mutually agreeable basis.

Creative working retirement options can be on a volunteer or paid basis. Salaries will be provided on a prorated basis based on the salary in force at the time of the retirement and the percent of employment during the post-retirement appointment period. When teaching responsibilities are involved, the salary will be calculated in accordance with university summer school teaching assignment policies. The assignment agreement also may include provision of services and facilities to the emeritus faculty member during the assignment period including but not limited to:

- an office assignment
- laboratory space
- secretarial assistance
- computing support

Emeritus faculty with creative working retirement assignments are appointed professor emeritus (with or without pay), and are encouraged to participate in collegiate and department/school academic governance. Grant and contract acquisition is also encouraged with the same support assistance available from the office of the Vice President for Research and Graduate Studies as provided to currently appointed regular faculty.

In accordance with university policy, emeritus faculty with creative working retirement assignments who return to active employment at 50% time or more for nine months or longer are eligible to receive benefits such as health, dental, employee paid life, travel accident, 403(b) Base Retirement Program with University contribution, and 403(b) Supplemental Retirement Program and/or 457(b) Deferred Compensation Plan in the same manner as an active employee. While the details of particular assignments must be developed and agreed to with the administrator of the appointing unit, the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs serves as a clearing house on options and possibilities. Current emeritus faculty and active faculty contemplating retirement who are interested in exploring creative working retirement assignments should feel free to contact the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs, Room 422 Administration Building, telephone number 353-5300.

Retirement Information Resources

MSU Human Resources provides a wealth of information to assist those contemplating or planning retirement. For more information, please see [Retirement Homepage](#).

Information about retirement benefits and other services regarding benefit implementation is available from Human Resources, 1407 S. Harrison Rd., Suite 110, (517) 353-4434.

Resignations

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

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

Faculty members leaving the University should contact Human Resources, 1407 S. Harrison Rd., Suite 110, for information concerning termination, continuation or conversion of their benefit programs.

Participation in Partisan Political Activities

Last updated: 12/12/1950

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

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

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

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

This policy is intended to safeguard the freedom of speech, thought, and action of faculty/academic staff and to avoid impairment of the significant contributions they are capable of making toward improved local, state, and federal government.

Study at MSU by Faculty Members

Last updated: 2/14/1977

IV. ACADEMIC HUMAN RESOURCES POLICIES (*Cont.*) ¹

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

1. No MSU faculty member with the rank of professor, associate professor, or assistant professor, or instructor in the tenure system, may earn a doctoral degree at MSU. Any waiver of this regulation may be made only by agreement of the Graduate Council and the provost prior to the beginning of the program.
2. Full-time faculty members may carry an average of four credits a semester with a maximum of 8 credits in the academic year. Fees are based on the number of credits carried, in the same manner as for other students.
3. A full-time faculty member may enroll in credit courses as an auditor with prior approval from the chairperson of the department offering the course and from the faculty member's department chairperson. No charge is made.
4. This regulation removes the master's degree from the prohibition and it does not apply to the graduate-professional degrees: D.O., D.V.M. M.D.

Footnote:

¹ In this policy, "Provost" means "Office of the Provost" and that the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (or other administrator in the Provost's Office) has been delegated responsibility for this role in order to clearly separate any future decision making required by the Provost pursuant to the Faculty Grievance Policy with respect to implementation/enforcement of this policy.

Course Fee Courtesy Policy - Faculty/Academic Staff

Last updated: 6/28/2002

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.) ¹

The following policy was approved by the Board of Trustees on July 23, 1982, and amended on June 28, 2002.

1. Dependent children, spouses, and MSU-recognized same-sex domestic partners of eligible faculty and staff (see below) who are appointed prior to the second week of a semester or summer session will be entitled to a course fee courtesy. The course fee courtesy consists of the credit of an amount equal to one-half of the applicable Michigan resident on-campus undergraduate course fees.
 2. Faculty and staff eligible under the course fee courtesy policy are as follows: full-time tenure system faculty, full-time librarians in the continuous employment system, full-time specialists in the continuing appointment system, individuals appointed full-time in the MSU Extension continuing appointment system, individuals appointed full-time in the Continuing Faculty Appointment System for the Facility for Rare Isotope Beams/National Superconducting Cyclotron Laboratory, individuals appointed full-time in executive management positions and other continuing positions (appointments without end dates) in the Academic Personnel System, full-time Health Programs faculty members upon the commencement of the first additional appointment, full-time fixed term faculty and academic staff with at least 60 Full-Time-Equivalent (FTE) service months, and those who have access to the program by virtue of a labor contract.
 3. Dependent children shall be defined as (a) all legally dependent children of eligible faculty or staff; and (b) such children who have eligible faculty or staff as their legal guardians.
 4. Dependent spouse shall be defined as the legally recognized spouse of an eligible faculty or staff member.
 5. Domestic partner shall be defined as the MSU-recognized same-sex domestic partner.
 6. Course fees shall be defined as the amount associated with credit hour enrollment and shall not include the registration fee or such fees, taxes and charges as may be collected for third parties.
 7. The course fee courtesy will be granted through the semester in which the 120th credit is attempted provided the dependent child or spouse/same-sex domestic partner is registered as a student in good academic standing at Michigan State University in a curriculum leading to the first baccalaureate degree or to a certificate in the Agricultural Technology program. For undergraduate students with transferable credits, the course fee courtesy is granted through the semester in which the combination of transferable credits and Michigan State University credits attempted equals 120.
 8. Except as stipulated below, the Course Fee Courtesy for dependent children and spouses/same-sex domestic partners will be discontinued at the conclusion of the semester or summer session at which the employment of the eligible faculty or staff member is terminated. The dependent children and spouse/same-sex domestic partner of an eligible faculty or staff member participating in the University's Long-Term Disability Program or who dies while on active service or while participating in the University's Long-Term Disability Program retain eligibility as if the eligible faculty or staff member were still living or were not participating in the University's Long-Term Disability Program as long as they meet the other eligibility requirements of the Course Fee Courtesy Policy. The dependent children and spouse/same-sex domestic partner of eligible faculty or staff members who retire in accordance with Michigan State University's retirement policy also retain eligibility as long as they meet the other eligibility requirements of the Course Fee Courtesy Policy.
 9. If the dependent child or spouse/same-sex domestic partner drops courses or withdraws from school during the refund period, any refund applicable to the course fee courtesy will revert to the University.
 10. Dependent children and spouses/same-sex domestic partners of eligible faculty and staff on approved leave of absence will be eligible for the course fee courtesy.
-

Footnote:

I"Michigan State University discontinued benefits for MSU recognized same-sex domestic partners in order to comply with the Michigan Supreme Court's ruling in National Pride at Work, Inc. v. Governor of Michigan, 481 Mich. 56 (2008). Accordingly, references to MSU recognized same-sex domestic partners in this policy have been rendered invalid."

William J. Beal Outstanding Faculty Award

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)¹

William J. Beal Outstanding Faculty Awards (formerly the Distinguished Faculty Awards) are made each year to members of the regular faculty, i.e. tenure system faculty and librarians in the continuing appointment system, for outstanding total service to the University. MSU College of Law tenure system faculty, Faculty for Rare Isotope Beams/National Superconducting Cyclotron Laboratory (FRIB/NSCL) faculty and Health Programs (HP) faculty are also eligible for nomination. Each college making nominations for the award has its own detailed criteria and methods for nomination. The nominations are based on teaching; advising; research; publications; art exhibitions; concert performances; committee work; public service including extension, outreach and work with government agencies and industry; or a combination of these activities. Administrative excellence and length of service may not be used as the sole criteria for nomination. However, nominees usually have at least five years of service at Michigan State University.

Final selection of William J. Beal Outstanding Faculty Award winners will be made by an All-University Awards Committee appointed by the President. The Awards Committee each year will define and publish selection criteria and solicit nominations. Each nominating unit having 200 or more faculty members may nominate four candidates each year. Each nominating unit having 100-199 faculty members may nominate three candidates each year. Each nominating unit having fewer than 100 members may nominate two candidates each year. In addition to the collegiate nominations, a current Michigan State University faculty member who received the Distinguished Faculty Award (1988-2013) or William J. Beal Outstanding Faculty Award (2014 and thereafter) may make one nomination annually directly to the Awards Committee. The departments, schools and colleges in which such nominees are appointed have the opportunity to make comments - in addition to the regular supporting materials - on such candidates, if they choose. After nomination for the award by the nominating units, or previous award recipient, screening will be carried out at the direction of the Awards Committee, through subcommittees or other means which they judge appropriate. The All-University Awards Committee will consider the mix of candidates' assigned duties over time in making its evaluation. No more than ten William J. Beal Outstanding Faculty Awards shall be made each year.

Footnote:

¹ Detailed nomination information is available from the Office of the Provost or on the web at <http://www.ahr.msu.edu/all-university-awards>.

MSU Teacher-Scholar Awards

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

Teacher-Scholar Awards are made to six members of the tenure system faculty from the ranks of assistant professor and associate professor who early in their careers have earned the respect of students and colleagues for their devotion to and skill in teaching. The essential purpose of the award is to provide recognition to the best teachers who have served at MSU for seven years or less, taking into consideration that the most effective teachers will have their instruction intricately linked to and informed by their research and creative activities. Nominations are normally made by department chairpersons/school directors after consultation with an appropriate committee of colleagues. No department/school may make more than two nominations. "At large" nominations are also invited from an appropriate student organization. All nominations are reviewed by a college screening committee, which may forward the number of nominations to the Office of the Provost as shown in the table below.

To be considered for an MSU Teacher-Scholar Award, a tenure system faculty member must hold the rank of assistant professor or associate professor and, at the beginning of the award period, must have served on the faculty for at least two semesters but no more than seven academic years at Michigan State University. In addition, nominees must not have more than ten years of employment experience of all kinds since receipt of the terminal degree applicable to their discipline. Years spent in "postdoc" appointments will not be counted in determining eligibility. Nominees for a Teacher-Scholar Award must be willing to permit a member of the awards committee to visit their classrooms. Committee visitation is a part of the total evaluation procedure only for those nominees who, after preliminary screening, seem most promising. (MSU College of Law, Facility for Rare Isotope Beams/National Superconducting Cyclotron Laboratory [FRIB/NSCL] faculty and Health Programs [HP] faculty are also eligible for nomination).

| Number of Eligible Tenure System Assistant /Associate Professors in College | Maximum Number of Teacher-Scholar Nominations forwarded by the College |
|--|---|
| Less than 40 | 2 |
| 40-45 | 3 |
| More than 45 | 4 |

Additional information can be found at <http://www.ahr.msu.edu/all-university-awards>.

MSU Excellence-In-Teaching Citations for Graduate Teaching Assistants

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

Nominations must be endorsed by the chairperson of the department/director of the school in which the teaching assistant's instructional responsibilities have been discharged. When this is not the department/school in which the nominee is a candidate for a degree, the chairperson/director of the degree department/school must endorse the nomination. In every instance the nomination must be accompanied by a letter of recommendation from the faculty member who has supervisory responsibility for the graduate teaching assistant. Individual departments/schools will ordinarily make a single nomination each year, but the larger departments/schools may make as many as three. "At large" nominations are also invited from an appropriate student organization. All nominations are reviewed by a college screening committee, which may forward the number of nominations as indicated in the table below.

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

| Number of Teaching Assistants in College | Maximum Number of Excellence-in-Teaching Nominations forwarded by the College |
|--|---|
| Less than 100 | 2 |
| 100-199 | 3 |
| 200-299 | 4 |
| 300-399 | 5 |
| More than 399 | 7 |

Additional information can be found at <http://www.ahr.msu.edu/all-university-awards>.

University Distinguished Professor

Last updated: 6/6/1989

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following statement was approved by the Board of Trustees on June 6, 1989.

The title, University Distinguished Professor, will be conferred on selected members of the Michigan State University faculty to recognize distinguished achievement in teaching, research and public service. ¹ A University Distinguished Professorship will be held for the remainder of the recipient's active service at Michigan State University; the title University Distinguished Professor Emeritus will be conferred upon retirement. Individuals holding a University Distinguished Professorship will receive, in addition to salary, an average stipend of five thousand dollars for five years to support professional activities. Assignments for University Distinguished Professors will be arranged with the dean, chairperson/director and the Provost. The designation will be highly honorific and consequently very exclusive. Membership in this category will reflect the diverse scholarly dimensions of Michigan State University.

Criteria for Selecting University Distinguished Professors

In general, University Distinguished Professors will have been recognized nationally and usually internationally for the importance of their scholarly achievements. They will also have demonstrated the breadth of interest characteristically encompassed by the traditional role of professor as teacher and public servant. In addition, they will have brought distinction to Michigan State University as a result of their activities.

Specifically, a University Distinguished Professor will have achieved a record judged by peers to be superior and outstanding in preferably all but in at least two of the following areas: superior teaching skills of recognized breadth and depth in their discipline; scholarly, creative, and artistic achievements; and a distinguished record of public service exemplified by the application of scholarship and/or creative and artistic endeavors in addressing the needs of one or more external publics.

University Distinguished Professors will have already achieved an outstanding record comparable to that of scholars awarded named professorships at MSU and elsewhere. That record will have been recognized by the University at previous opportunities where merit is rewarded--such as salary increases.

University Distinguished Professorships will be conferred on members of the Michigan State University faculty whose achievement has already been recognized by the University with the rank of full professor; the title is not to be used for recruiting outsiders.

Selection Process

University Distinguished Professorships will be awarded by the Board of Trustees upon recommendation of the Provost and President. A committee of faculty and deans will advise these officers.

1. From time to time the Provost will request nominations for University Distinguished Professorships from members of the faculty, deans, directors, and chairpersons.
2. Written nominations, submitted to the Provost, will include:
 1. A cover letter making or supporting the nomination and providing a brief summary of the candidate's achievements;
 2. The candidate's **curriculum vitae**;

3. Letters of endorsement from relevant deans and chairpersons or directors. These administrators will consult with appropriate department, school or college advisory committees before endorsing nominations.
 4. Letters of support from faculty and other colleagues at this and especially other institutions, assessing the candidate's record of achievements in teaching, research, or public service;
 5. Letters of support from present and former students will be encouraged when appropriate.
3. A standing advisory committee composed of four faculty members and three deans, appointed by the Provost and serving four-year terms on a staggered basis, will review nominations and make recommendations to the Provost for transmittal to the President. Nominations for committee members will be obtained from both the University Committee on Academic Governance and the Council of Deans. Committee members must be tenured professors who themselves have outstanding records of teaching, research, and/or public service and are committed to the multi-dimensional concept of excellence valued by Michigan State University. The selection of the committee's membership must ensure the inclusion of women and minorities.

Footnote:

¹ It is expected that in time, as a result of Development Fund efforts, endowment support will be obtained for many University Distinguished Professorships resulting in the addition of a name to the title.

Additional information can be found at <http://www.ahr.msu.edu/all-university-awards>.

Administrators, Selection of University Level

Last updated: 10/23/2019

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

*The following procedure was approved by the Academic Council (now referred to as University Council), as amended, on January 25, 1983; under the terms of the **Bylaws for Academic Governance**, section 3.2.5.5 (now section 3.2.4.8 of the current bylaws), it was approved by the President on April 20, 1983.*

1. General Principles

1.1 The selection of University administrators is a matter of great importance to the University. The President and Provost normally seek advice on such matters through a variety of appropriate channels, individuals, and groups. Participation of faculty and students in the selection of those administrators who significantly affect the academic programs of the University is provided by the procedure described below in accord with provision 3.2.4.8. of the Bylaws for Academic Governance.

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

1.3 Consistent with the principle of participation by faculty and students, the President and Provost have the fundamental responsibility for initiating the selection process and seeing the process through to the end. It is the responsibility of the President to make recommendations of appointments to the Board of Trustees.

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

- Administrators who report to the President
 - Provost
 - Senior Vice President for Research and Innovation
 - Vice President for Student Affairs and Services
- Administrators who report to the Provost
 - Dean of Undergraduate Studies
 - Dean of International Studies and Programs
 - Dean of the Libraries
 - Dean of the Honors College
 - Dean of the Graduate School

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

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

2. Procedures for and Composition of Advisory Committees

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

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

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

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

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

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

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

3. Acting Administrators

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

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

Revision History:

10/23/2019: Minor update to reference 3.2.4.8, and updates to the list of administrators in conformance with section 3.2.4.8

Salary, Appointment, and Faculty Status of Faculty Members Who Assume Administrative Responsibilities - Faculty Handbook

Faculty Handbook

This policy was issued by the Office of the Provost, after consultation with the Council of Deans, the University Committee on Faculty Affairs and the University Committee on Faculty Tenure, with an effective date of January 1, 1982, and revised on November 11, 2015.

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

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

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

All concerned must recognize that assignment as an administrator is subject to change at any time and that at any time the faculty member may return to regular faculty duties in his/her primary academic unit, e.g., department(s), school(s), and/or residential or college(s) not organized by department.

Appointment Basis

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

Salary Rate

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

Administrative Increment

There is no fixed amount designated for the administrative increment. However, the administrative increment amount is typically no more than \$20,000. Administrative increments greater than \$20,000 require prior approval by the Office of the Provost. The amount of the administrative increment is determined by the responsibility of the position and the size, complexity and scope of the department, unit or program. Given the varying responsibilities across units, there may be considerable variation between units. The amount of the increment shall also be based on the availability of funds. When such administrative responsibilities cease, the administrative increment will be removed.

Status in Academic Unit

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

Performance of Faculty Duties

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

Criteria and Procedures for Reappointment, Tenure and Promotion

Performance in assigned faculty duties should be an ingredient in the evaluation for reappointment, tenure and promotion of the faculty member holding an administrative assignment.¹

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

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

Implementation of Policy

All of these aspects of faculty status must be communicated by the relevant unit administrator to the faculty member, in writing, before initial appointment as a faculty member and administrator or prior to the assignment of administrative duties to a faculty member already employed at Michigan State University. A

copy of the letter specifying these aspects of faculty status, including how they will be affected, if at all, by the cessation of administrative duties, must be attached to the appointment or change of status form used to initiate the personnel action.

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

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

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

A change to an administrative assignment requiring a change from an academic year (AY) appointment to an annual (AN) appointment basis will result in a salary that is 11/9 of the faculty member's academic year (AY) salary. If an administrative increment is appropriate, it should be added after the determination of the AN salary. If reassignment from administrative duties results in a shift from an annual (AN) appointment basis to an academic year (AY) appointment basis, the AY salary will be an amount equivalent to 9/11 of the current AN salary except that if an administrative increment exists, it should be deducted before the AN salary is changed to an AY basis. In every case, a shift from an administrative assignment to faculty duties shall result in withdrawal of any administrative increment.

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

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

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

Footnote:

¹As a general matter, a non-tenured faculty member should not be assigned to administrative duties except in instances when this is in the best interest of the individual and the University. In such cases, a written statement on how the unit's regular standards and criteria for reappointment and tenure will be applied to the individual during the period of administrative assignment must be prepared by the applicable unit administrator, after consultation with the designated unit advisory committee, and be sent to the affected faculty member before the administrative assignment is approved. The annual review of performance must include assessment of progress as a faculty member performing regular faculty duties, i.e., instruction, research and public service.

Annual Evaluation of Chairpersons/Directors

Last updated: 06/13/2018

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

This policy was issued by the Office of the Provost on September 21, 1981, and revised on June 13, 2018.

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

For purposes of this policy, the term "unit administrator" includes the following titles:

Department Chair
School Director
Center/Institute Director
Program Director

Extension, Medical Care and Other Faculty/Academic Staff Service Activities

IV. ACADEMIC HUMAN RESOURCES POLICIES *(Cont.)*

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

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

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

Outside Work For Pay

Last updated: 5/5/2006

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on August 9, 1951 and revised on May 5, 2006.

I. Policy Overview

Full time faculty members are compensated for full time professional effort for the University. Faculty may have duties in instruction, research, or outreach, or in a combination of these areas. Regardless of the character of the faculty member's duties, the University expects that each full-time faculty member will carry a reasonable and full time load, assuming a proper share of the total functions and responsibilities of the department/school, college, and University. Within this framework, the University recognizes that, through consulting and other relationships with government, industry, not-for-profit organizations, and others outside the University, its faculty members can make valuable contributions off campus while enhancing their expertise in their discipline.

This Policy is intended to protect the integrity of the faculty-University professional relationship, to ensure that approved outside work for pay is consistent with the University's mission, and to provide that faculty members remain accessible to students, colleagues, and the public.

II. Applicability¹

This Policy applies to all faculty members (tenure system and fixed term) at the rank of instructor through professor who hold appointments of at least 50% time. ² Faculty appointed less than full-time are not eligible to perform outside work for pay during regular University duty periods. With the exception of the approval process, outside work for pay performed during non-duty periods is subject to the remaining provisions of this Policy.

Certain activities are expected of faculty members as part of their normal scholarly activities and are not regulated by this Policy (even if a faculty member is paid to do them by a person or entity other than the University). These include, but are not limited to ³ :

- presentations at professional meetings and other similar gatherings
- peer review of articles and grant proposals
- leadership positions in professional societies
- preparation of scholarly publications
- editorial services for educational or professional organizations
- service on advisory committees or evaluation panels for government funding agencies, nonprofit foundations, or educational organizations
- musical and other creative performances and exhibitions, if there is an expectation in the faculty member's discipline that he/she will engage in such performances or exhibitions.

III. Limitations on Performing Outside Work for Pay During Duty Periods

Faculty members may request approval to engage in outside work for pay during duty periods if all of the following conditions exist:

1. All approved outside work for pay and overload pay assignments for the faculty member will not exceed a total average of four (4) days a month.

2. The work in question will enhance the faculty member's expertise as a teacher and scholar in his/her discipline.
3. The work will not interfere with the performance of the faculty member's University duties, including those non classroom responsibilities expected of all faculty members.
4. The work will not adversely affect the University's interests or violate University policies or regulations.
5. The work will be of a professional nature.

IV. Definitions

1. "Outside work" is any work performed for a person or entity other than Michigan State University.
2. "Work" is any service or activity in the general area of expertise for which the faculty member is employed by the University. Examples of work include, but are not limited to, consulting, advising, research, demonstrating, performing, outreach, or teaching in the faculty member's discipline.
3. "Pay" is anything of value received in consideration for work (except reimbursement of expenses, indemnification, or insurance coverage for claims arising out of or occurring in connection with the work). Examples of pay include, but are not limited to, any salary, fee, honorarium, stock, stock option, monetary gift or contribution beyond actual expense, or the promise of any of these in the future. Work for any business or other for-profit enterprise owned or operated by a faculty member or by his/her relative(s), shall be considered "pay" (whether or not the faculty member receives anything of value in consideration for the work) because of the likelihood that the faculty member's work will increase the value of the business or enterprise to the faculty member's direct or indirect financial benefit.

V. Required Approval

1. A faculty member must request and obtain the written approval of his/her unit administrator and dean /separately reporting director before engaging in outside work for pay.
2. University administrators to whom the Authorization Form is submitted may seek additional information or clarification from the faculty member regarding the proposed outside work for pay.
3. University administrators shall process completed Authorization Forms in a timely fashion.
4. If a request to engage in outside work for pay is denied, the unit administrator shall provide the faculty member with written reasons for the denial. A faculty member may not challenge a decision to deny approval for outside work for pay through the Faculty Grievance Policy unless the faculty member alleges that the denial is contrary to University policy or established practice.
5. Each dean/separately reporting director shall keep Authorization Forms submitted by faculty on file for at least three years.
6. Each dean/separately reporting director shall submit annual reports to the Office of the Provost concerning the outside work for pay performed by faculty in that college/administrative unit. The reports shall not identify individual faculty by name.

VI. Non-Duty Periods

Faculty who hold academic year appointments or part-time appointments of at least 50% time may engage in outside work for pay during non-duty periods if the work does not adversely affect the University's interests, violate University policies or regulations, or circumvent University policies or regulations that would apply if the work was performed during the duty period. The University does not limit the amount of time faculty may spend on outside work for pay at times other than their duty periods.

A faculty member must provide written notice to his/her unit administrator prior to engaging in outside work for pay during non-duty periods by submitting an Outside Work for Pay Authorization form.

VII. Intellectual Property

The University's policies regarding intellectual property are applicable to faculty members engaging in outside work for pay.

VIII. Indemnification

Outside work for pay is not covered under the University's Indemnification Policy or its Travel Accident Plan.

IX. Other Provisions

1. Faculty may use University facilities, supplies and materials, equipment, services, or employees for outside work for pay, but only if (a) such use would not be contrary to University policy or collective bargaining agreements, (b) such use would not adversely affect the use or availability of such facilities, supplies and materials, equipment, services, or personnel for unit and other University activities and operations; and (c) the University is reimbursed in full for the fair market value of the use of the facilities, supplies and materials, equipment, services, or employees. ⁴
2. If a faculty member seeks to use intellectual property owned by the University in outside work for pay, the unit administrator must consult with the Office of Intellectual Property before the outside work for pay may be approved or performed. The purposes of this consultation are to avoid violation of third party licenses, to prevent loss of patent rights through premature public disclosure, and to preserve the rights of other authors or inventors.
3. When engaged in outside work for pay, faculty members must make it clear that (a) they are acting in their individual capacities and not on behalf of the University; and (b) that the University does not endorse, sponsor, or support the outside work. A faculty member may use his/her University title when signing reports and letters pertaining to outside work for pay so long as it is clear that the University title is used solely to document his/her professional credentials. Official University letterhead shall not be used in outside work for pay.
4. Faculty members shall not divert to outside work for pay research or teaching opportunities that might reasonably be offered to the University, nor should they knowingly participate in outside work for pay that might compete with the University's programs.
5. The involvement of University students or staff (especially those for whom the faculty member has oversight responsibilities) in a faculty member's outside work for pay must be disclosed and may require monitoring.
6. Approval for outside work for pay is subject to termination at any time the University considers such action to be advisable. Written reasons for the decision to terminate approval will be provided to the faculty member by his/her unit administrator. Decisions to terminate approval for outside work for pay are not disciplinary action. A faculty member who wishes to challenge a decision terminating outside work for pay through the Faculty Grievance Policy must allege that the termination is contrary to University policy or established practice.
7. When involvement in outside work for pay substantially interferes with a faculty member's performance of his/her University duties, the faculty member's unit administrator may issue an administrative warning to the faculty member or the faculty member and his/her unit administrator may arrange by mutual agreement a voluntary unpaid leave of absence or a reduction in the faculty member's appointment. Voluntary leaves of absence should normally not exceed six months, and the frequency and duration of leaves of absence should not impair a faculty member's contributions to the University.
8. Violation of this Policy may be the basis for discipline under applicable University policies.
9. Individual colleges or other units may establish lower maximum time limits for outside work for pay than those stipulated in this Policy and may promulgate guidelines and impose reporting requirements for outside work for pay in addition to those set forth in this Policy.

X. Applicability to the Medical Colleges

Faculty in the Colleges of Human Medicine, Nursing, and Osteopathic Medicine may engage in outside work for pay pursuant to this Policy, provided that, if the outside work for pay includes patient care or administrative or consulting activities significantly related to, but not directly involved in, the provision of patient care, the income derived therefrom is subject to the provisions of the Michigan State University Practice Plan. Faculty in the College of Veterinary Medicine may engage in outside work for pay pursuant to this Policy, provided that private practice by faculty in the College of Veterinary Medicine may occur only in accordance with College of Veterinary Medicine policy, and provided further that, if a practice plan is established for the College of Veterinary Medicine in the future, any income derived by a faculty member of the College of Veterinary Medicine from private practice will be subject to the provisions of that practice plan.

[Outside Work for Pay Form](#)

[Outside Work for Pay Frequently Asked Questions](#)

Footnotes:

¹This Policy does not apply to unremunerated outside activities, whether of a charitable or professional nature. However, faculty members are expected to arrange their outside activities so as to avoid conflicts of commitment. A "conflict of commitment" occurs when the time and attention a faculty member devotes to outside activities interferes with the performance of his/her responsibilities to the University.

²Executive managers (senior level University administrators, including associate and assistant vice presidents and specified directors) and academic administrators (e.g., deans, department chairs, and school directors) are also subject to this Policy and must obtain prior written approval from their direct supervisor before engaging in outside work for pay.

³A faculty member or unit administrator may (1) request an individual or group exemption from specific provisions of this Policy, or (2) request that a particular activity or type of activity be exempt from this Policy. Such requests must be approved in writing by the applicable department chair/director and dean /separately reporting director and by the Provost or his/her designee. Failure to request or receive exemption approval in writing results in coverage of the activity under this Policy.

⁴Faculty using University facilities, supplies and materials, services, or equipment for outside work for pay do not need to reimburse the University for the fair market value of the use if it is a de minimis, incidental use which imposes no, or little, additional cost or expense on the University.

Medical Service Plan for Colleges of Human Medicine and Osteopathic Medicine

Last updated: 7/30/1976

IV. ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

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

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

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

The principles of the Medical Service Plan include:

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

Overload Pay

Last updated: 9/9/2022

ACADEMIC HUMAN RESOURCES POLICIES (Cont.)

The following policy was approved by the Board of Trustees on October 16, 1970 and revised on May 5, 2006 and September 9, 2022. (A college may establish a more restrictive policy.)

I. Applicability

This Policy applies to full-time faculty members (tenure system and fixed term) at the rank of instructor through professor, full-time academic staff (including specialists, librarians, and extension field service staff), full-time executive managers, and full-time academic administrators (e.g., deans, department chairs, and school directors).

II. Overload Pay

Faculty and academic staff may request approval for overload pay for overload assignments related to teaching, research, outreach activities, and academic and student support activities. Executive managers and academic administrators may request approval for overload pay for overload assignments related to their administrative duties and/or expertise.¹

III. Required Approval

1. Overload pay assignments require prior written approval (a) by the immediate supervisor of the individual who will undertake the proposed overload pay assignment; (b) by the administrator of the major administrative unit ("MAU") in which that individual is appointed; and (c) if the unit in which the overload pay assignment is to be performed is different from the unit in which the individual is appointed, by the administrator of, and the MAU administrator for, the unit in which the overload pay assignment is to be performed.
2. In order to be approved, an overload pay assignment must meet the following minimum criteria:
 - The individual requesting overload pay must have a full-time assignment in her/his department, school, or other administrative unit and be satisfactorily performing her/his assigned duties; and
 - The individual's immediate supervisor, after consultation with the administrator of the MAU in which the individual is appointed, must determine that:
 - the proposed assignment represents a substantial increase over the individual's regularly assigned duties; and
 - after considering the other commitments of the individual, including her/his regularly assigned duties, approved outside work for pay, and other professional obligations, the proposed assignment will not adversely affect the individual's performance of her/his regularly assigned duties.
3. The approval of each overload pay assignment must be recorded on the [Overload Pay Pre-Authorization form](#).

IV. Summer Appointments

Faculty and academic staff members appointed on an academic year basis may have part-time or full-time summer appointments in teaching, research, and/or outreach. The salary for such a summer appointment may not exceed 3/9 of the faculty or academic staff member's salary during the previous academic year. These summer appointments are not considered overload pay assignments and are not subject to this Policy. However, faculty and academic staff members who hold full-time summer appointments are also

eligible for overload pay assignments during the summer if such assignments are made pursuant to this Policy.

V. Other Provisions

1. The Office of the Provost shall provide an annual summary of overload pay disbursements made during the prior fiscal year to appropriate MAU administrators.
2. In recognition of collegial expectations usual in a community of scholars, University units may not pay honoraria to faculty members, academic staff, executive managers, or academic administrators for talks, seminars, etc., provided in usual classroom/seminar settings.
3. Individuals performing overload pay assignments pursuant to this Policy remain subject to the same University policies and procedures as are in effect during the performance of their regularly assigned duties.
4. Major administrative units may establish lower maximum time limits for overload pay than those stipulated in this Policy.

[Overload Pay Pre-Authorization Form](#)

Footnote:

¹ In accordance with the policy on [Outside Work for Pay](#), faculty, executive managers, and academic administrators may request approval to engage in overload pay and/or outside work for pay for up to a total average of four (4) days per month during duty periods. Academic staff (who are not eligible to engage in outside work for pay) may request approval to engage in overload pay for up to an average of four (4) days per month.

Abrogation of Faculty Teaching Responsibility

Last updated: 6/12/1987

V. INSTRUCTION (*Cont.*)¹

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

Any member of the instructional staff² who fails to fulfill any provision of the University's *Code of Teaching Responsibility* shall be held accountable.

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

It is the responsibility of department chairpersons and school directors to determine if services have been withheld without proper cause and, if so, to report the precise details of such alleged withholding of services. This report should be made to the dean of the college, with a copy to the Provost, and should include information as to the total load of the instructional staff member so that an estimate can be made of the percentage of service that has been allegedly withheld. The Provost or designee shall review the contents of the report with the dean of the college and the applicable department chairperson/school director and shall discuss the matter with the affected instructional staff member.³ The Provost or his/her designee shall determine if the withholding of services was improper and may direct an appropriate deduction from the instructional staff member's salary. The instructional staff member, academic staff member, or graduate assistant shall be informed of this action in writing.

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

Footnotes:

¹ In this policy, "Provost" means "Office of the Provost" and that the Associate Provost and Associate Vice President for Faculty and Academic Staff Affairs (or other administrator in the Provost's Office) has been delegated responsibility for this role in order to clearly separate any future decision making required by the Provost pursuant to the Faculty Grievance Policy with respect to implementation/enforcement of this policy.

² If the instructional staff member is not available for this conference, the procedure continues without this participation by the instructional staff member. A reasonable effort shall be made by the Provost to arrange for this conference.

³ The term *instructional staff* includes tenure system faculty, graduate assistants and all other individuals holding academic personnel system appointments.

Academic Advisement, Enrollment, Registration and Counseling

Last updated: 2/8/1966

V. INSTRUCTION (Cont.)

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

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

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

Registration - Registration is the process of securing classes for which one has enrolled by payment of charges due. Completion of this process generates official University and class records for use by faculty and staff.

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

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

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

1. Academic advising is a responsibility of faculty, but the division of responsibility (for example, relative emphasis on graduate versus undergraduate advising, number of advisees per faculty member, etc.) should be determined through mutual agreement between faculty and deans and/or department chairpersons in each college and/or department.
2. Excellence and effort in advising are to be recognized by chairpersons and deans, as well as by the provost, as an integral part of a faculty member's assignment.
3. Procedural provisions are to be made at the departmental and college level for the availability of academic advisors at times in addition to those scheduled for enrollment and registration.
4. Students are responsible for studying and knowing University, college, and department requirements as stated in the catalog. They shall also prepare tentative academic plans for review by their academic advisers.
5. With efficient use of faculty and student time as prime considerations, all administrative offices involved in enrollment and registration should continue to develop improvements in the process.

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

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

Academic Apparel

V. INSTRUCTION (*Cont.*)

Faculty members are expected to provide their own academic apparel for use at commencement exercises and other ceremonies when such apparel is appropriate. University funds may not be used to purchase academic apparel for individual faculty. However, on a limited basis, colleges and departments may purchase (or rent) a small number of pre-made University gowns for collective use.

Academic Programs and Policies

V. INSTRUCTION (*Cont.*)

The Michigan State University Catalog is comprised of two separate volumes: [Academic Programs](#) and [Descriptions of Courses](#). Electronic versions of these documents, known as Academic Programs and COURSES, are updated to reflect approved curricular changes in programs and policies within several weeks of each Academic Council meeting.

- *Academic Programs*, available from the Office of the Registrar or at <http://www.reg.msu.edu>, describes programs of study and the structure of the University and is the primary source for University regulations and policies concerning instruction. The "[Undergraduate Education](#)" section states the academic requirements and policies concerning undergraduate study; the "[Graduate Education](#)" section refers specifically to graduate study. The "[General Information](#)" section includes topics such as costs, attendance, examinations, grading system, integrity of scholarship, student housing, campus activities, student organizations and services and the campus. Admission and graduation requirements for undergraduate and graduate programs in the individual colleges are described in the the Colleges, Faculty, and Programs of Study.
- [Descriptions of Courses](#) provides information about the courses offered by the departments, schools and colleges. Its printed version is used mostly for incoming students. Its electronic archive (1970 to 2002) and its current version, known on-line as COURSES, are available via the [Office of the Registrar](#) or University Curriculum and Catalog (<http://www.reg.msu.edu/ucc/ucc.asp>). The COURSES system includes complete course request forms and shows courses as pending, with interim (college-level) approval, or final (university-level) approval.
- *Schedule of Courses* is available through the Office of the Registrar. A separate print edition of the *Schedule* contains summer session offerings, which are also available on the web.

Code of Teaching Responsibility

Last updated: 3/27/2012

V. INSTRUCTION (Cont.)

This policy was approved by the Academic Council on November 4, 1969 and the Academic Senate on November 19, 1969; it was subsequently revised by Academic Council on May 19, 1976, February 27, 1996, and April 19, 2005 (effective Fall semester 2005); it was revised by University Council on March 27, 2012 .

The Code of Teaching Responsibility is available in the [Academic Programs](#) catalog on the Office of the Registrar website.

Coursepacks

V. INSTRUCTION (*Cont.*)

The Code of Teaching Responsibility requires the provision of materials such as syllabi and study guides to the students. Similarly, scantron exam sheets are provided free of charge by the Scoring Office and should also not be included in coursepacks. These items are covered through the tuition that students pay for their courses.

Faculty Relationships with Student Athletes

Last updated: 4/15/2020

V. INSTRUCTION (*Cont.*)

This statement was issued by the Office of the Provost on August 6, 1996 and revised on August 4, 2003 and April 15, 2020.

Michigan State University enrolls more than 700 student-athletes who participate in 25 intercollegiate sports. MSU recognizes the special responsibilities and privileges of these student-athletes. The University is committed to provide the environment and support necessary for student-athletes to establish and realize high levels of academic and athletic success.

Student-athletes are governed by policies and regulations of the National Collegiate Athletic Association (NCAA) and the Big Ten Conference as well as by Michigan State University. All of these regulations are intended to establish shared restrictions and expectations for all student-athletes while recognizing the special burdens created by intercollegiate athletic competition.

The NCAA and Big Ten Conference regulations cover all aspects of recruiting, academic eligibility, and athletic financial aid of matriculated student-athletes. For faculty members, there are two general guidelines that are important to remember:

1. You cannot do anything for a student-athlete that you would not do for another student in a similar situation. On the other hand, you should not refuse to do something for a student-athlete, if you would do it for another student.
2. There are some things that you can do for an individual student that you cannot do for an individual student-athlete: for example, you cannot buy anything, not even a soft drink, for a student-athlete; you cannot provide a ride for a student-athlete; you cannot let a student-athlete charge a long distance telephone call to your business or home telephone number.

Policy and Process Items

ACADEMIC PROGRESS REPORTS: These reports are sent electronically to faculty members by the Office of the Registrar during the fifth and eleventh weeks of Fall and Spring semesters. If you are teaching a course and receive the forms, please fill them out and respond as fully as possible. The Student-Athlete Support Services Office is charged with monitoring academic progress for student-athletes, and needs the information in a timely way. If you have concerns about the academic performance of a student-athlete, you can recommend academic assistance for the student-athlete by calling the Director of Student-Athlete Support Services.

ACADEMIC ADVISING: Counselors in the Department of Intercollegiate Athletics do not provide academic advising. Student-athletes are advised by advisors in their majors or in the University Undergraduate Division (UUD) or by the assistant/associate dean of the college in which they are enrolled and should be referred to these sources. However, student-athletes can receive additional academic support from Student-Athlete Support Services, e.g., assignment to a study hall, availability of a tutor or referral to additional services provided on campus.

CLASS ATTENDANCE: Student-athletes are excused from class when competing in official events or games. Athletic Council recommended that competition schedules be so constructed as to limit the number of missed days to seven per semester. (This may not always be possible.) Each student-athlete should bring a team schedule to the instructor at the beginning of the semester to verify the excused absences. However, an

excused absence does not excuse the student-athlete from completing the work assigned. [Student-athletes are frequently advised to schedule classes with mandatory attendance policies in the off-season or summer term.]

The faculty and staff should be sensitive to the absences so that students who absent themselves from classes on these days are not seriously disadvantaged. It is the responsibility of those students who wish to be absent to make arrangements in advance with their instructors. Some instructors attempt to cover all reasons for student absences from required academic events such as quizzes or exams with a blanket policy, e.g., allowing the student to drop one grade or two quizzes without penalty. If this is meant to extend to athletic events, the instructor should state this clearly at the beginning of the term. If instructors require make-up exams, they retain the right to determine the content of the exams and the conditions of administration, giving due consideration to equitable treatment.

ATHLETIC DEPARTMENT CONTACTS: Coaches are not permitted to call instructors or TAs assigned to courses. Student-Athlete Support Services or the college or department or UUD academic advisor may appropriately contact faculty members about a student-athlete's progress, attendance or behavior. However, any undue attempt to influence your judgment or secure a particular action on behalf of a student-athlete should be reported immediately to your department chairperson.

INCOMPLETES: A student-athlete must make up incomplete coursework and have the grade entered in Campus Solutions before the first day of class in the next semester if the course is necessary for academic eligibility. Authorized staff in departments and colleges that offer the course enter the final grade in Campus Solutions. This eligibility-related rule is more stringent for student-athletes than the University rule is for all students and can be crucial for competition.

PRIVACY OF RECORDS: The Family Educational Rights and Privacy Act (FERPA) prohibits dissemination of any information about a student-athlete's academic progress to anyone but the student, the student's advisor, and the Student-Athlete Support Services Office unless the student-athlete grants permission for this information to be shared.

Supervision of Academic Work by Relatives

Last updated: 3/22/1994

V. INSTRUCTION (Cont.)

The following policy was approved at the March 22, 1994 meeting of the Academic Council.

No faculty member may:

1. serve as a member of a relative's graduate committee;
2. serve as a member of a relative's honor's thesis, master's thesis degree, or doctoral dissertation committee;
3. directly assign a grade to a relative enrolled in her or his class. (Exceptions to this policy may be made with prior approval of the appropriate administrator.)

This policy does not prevent enrollment of a student in a class taught by a relative. It does require disclosure and assurance of fair grading, i.e., grading by a disinterested party.

Participation in Commencement

V. INSTRUCTION (*Cont.*)

Commencement ceremonies are held at the end of Fall and Spring semesters.

Department/School chairpersons and major professors or faculty advisors who have students who are advanced degree candidates are requested to participate in the graduate commencement ceremony.

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

Religious Observance

V. INSTRUCTION (Cont.)

This policy was issued by the Office of the Provost with an effective date of January 9, 2023, after consultation with the University Committee on Faculty Affairs, the University Committee on Students Affairs, the University Committee with Undergraduate Education, and Faculty Senate. This policy can also be found in the [Academic Programs](#).

Michigan State University is a home for a vibrant, diverse, and multicultural community of students, faculty, and staff, and we value and actively support that diversity, including the diversity of spiritual expression and practice. Therefore, it is the policy of the University to enable students and faculty [\[1\]](#) to observe those days set aside by their chosen religious faith. As Michigan State University has become increasingly multicultural, the incidence of conflicts between mandatory academic requirements and religious observances has increased. In the absence of a simple and dignified way to determine the validity of individual claims, the claim of a religious conflict should be accepted at face value.

Applicability

This policy states institutional and individual expectations for faculty, academic staff, and students to enable students and faculty to observe those religious days set aside by their chosen religious faith.

The faculty and staff must be sensitive to the observance of these observance days so that students who absent themselves from classes on these days are not disadvantaged in any way. Students who miss class, assignments, or exams to observe a religious day must be accommodated in ways that include, but are not limited to, the following:

- (1) Professors and instructors should make every effort to avoid scheduling exams and oral presentations during the major religious days on campus (Jewish, Muslim, Hindu, etc.). If a professor has scheduled such an exam or oral presentation, exams must be reasonably rescheduled without academic penalty.
- (2) Absences may not be counted as a missed class in any course in which attendance is a measure of academic performance. Some instructors attempt to cover all reasons for student absences from required academic events such as quizzes or exams with a blanket policy, e.g., allowing the student to drop one grade or two quizzes without penalty, or allowing a certain number of "unexcused" absences during the course of a semester. This kind of policy should not be applied to religious observances, as this penalizes religions with more observance days that require absences than others.
- (3) Reasonable extensions of time must be given, without academic penalty, for missed assignments; students must be allowed to schedule presentations around such absences. Make-up work should be appropriate and not more difficult than the original assignment.
- (4) It is the responsibility of those students who need to be absent to inform their instructor at least two weeks before the observance day, make arrangements in advance with their instructors, and to catch up on any material discussed and assignments given during that class period. Accommodations must never fundamentally alter an essential requirement of the course or academic program.
- (5) All faculty must refer to this religious policy in their syllabi as well as provide the deadline in the syllabus by which students need to inform instructors of a conflict. Faculty should remind students of the deadline during the first day of class.

(6) Orientation programs for new students -- including the orientations for international students -- must inform incoming students about this policy and urge them to check for conflicts before the deadline for informing their instructors.

Information on religious days:

There are members of many faiths at the university, including Bahá'í, Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Sikh, their associated branches and more. Information about the dates of observance is available on the [religious observance calendar](#) webpage maintained by the Office of the Provost.

Please note that Jewish religious days â including the weekly observance of the sabbath - begin at sundown the evening before the date listed. Shabbat, the Jewish sabbath, is observed weekly from before sundown on Friday to sundown (when three stars are visible) on Saturday and during this time observant Jews are required to refrain from work, use of electricity and other activities. Be aware that more observant Jews will have a more extensive period of observance for some religious days and will need to take time off.

Islamic religious days are based on the lunar calendar and will be celebrated approximately around the dates listed. During Ramadan, faculty should make final exam accommodations for students who fast and request such accommodations. Students should have the opportunity to reschedule a late afternoon exam in the morning, and vice versa.

[1] The term faculty is used broadly throughout this policy and is intended to cover both faculty and academic staff.

Rights of Students to Receive Instruction

Last updated: 5/12/1970

V. INSTRUCTION (Cont.)

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

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

Student Instructional Rating System

Last updated: 3/6/1979

V. INSTRUCTION (*Cont.*)

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

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

Preamble

The principal objective of the Student Instructional Rating Policy is to secure information which is indispensable to implementation of the University's policy of providing its students with instruction of the highest quality. This information is put to two principal uses: (1) providing instructors and teaching units with an accurate account of student response to their instructional practices, to the end that classroom effectiveness be maintained at the highest level of excellence; and (2) providing teaching units with one kind of information to be considered in deciding on retention, promotion, salary, and tenure, to the end that effectiveness in instruction constitutes an important criterion in evaluating the service to the University of members of the teaching faculty. In order to accomplish these objectives more fully, the following procedures are established to replace the provisions previously in effect.

1. Every teaching unit shall approve one or more common student rating instruments through its own channels of participation, in accordance with unit bylaws and customs of collegial decision making. Regardless of the type of instrument adopted, it must prominently display the following notation:
2. The Michigan State University [Code of Teaching Responsibility](#) holds all instructors to certain obligations with respect to, e.g., course content consistent with approved descriptions, timely statement of course objectives and grading criteria, regular class attendance, published office hours, and timely return of examinations and term papers. This Code is printed in full in the *Catalog* and *Schedule of Courses*. It includes specifics about complaint procedures available to students who believe that their instructors have violated the Code.
3. Each teaching unit shall make regular and systematic use of student instructional ratings as part of the unit's evaluation of instructional performance. Each teaching unit shall formulate and promulgate a comprehensive policy covering all aspects of student instructional rating procedures, and shall be responsible for implementing that policy within the framework of the provisions contained in this document. Students shall not be required or requested by faculty members to identify themselves on rating forms.
4. All instructors, regardless of rank, including graduate assistants, shall use unit-approved student instructional rating forms in all classes (every course, every section, every term). For team-teaching situations, units shall develop procedures consistent with the intent of these provisions.
5. Individual instructors may use other instruments to gather additional information.
6. Results of student instructional ratings shall be used in accordance with the following provisions:
 1. Results shall be returned promptly to the instructor for information and assistance in improving course design and instruction.

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

Departments may choose to use the form available in the [Scoring Office](#), 114 Computer Center, telephone 355-1819.

Student Public Evaluation System

Last updated: 10/24/2000

V. INSTRUCTION (Cont.)

The policy on the Student Public Evaluation System provides an opportunity for students to have access to a range of information regarding courses and instructors in order to make more informed decisions in selecting courses. It is separate and distinct from the SIRS policy (above) and is intended for different purposes: whereas the results of the SOCT forms will be public, results of the SIRS forms are intended to be confidential and are used as one tool for faculty evaluation. This statement was approved by the Academic Council on October 24, 2000.

Students at Michigan State University have an interest in being able to make informed judgments in selecting courses and faculty members as students pursue their academic programs. To this end, the University Committee on Academic Policy has framed a set of questions that should provide the type of information that students seek. In order to facilitate the transmission of this information to the students, the following procedures are established:

1. In addition to using standard university or unit-based SIRS forms in every class each semester in compliance with the Student Instructional Rating System policy, faculty members at the rank of instructor or above, and specialists who are assigned to teach, shall administer a standard form (Student Opinion of Courses and Teaching¹) in all of their regular undergraduate classes.
2. The SOCT forms shall be administered within the last two weeks of classes. Instructors should leave the room until the forms have been completed and collected. The forms should be collected by a neutral party, turned in to a predetermined location, and not accessible to the instructor until grades are submitted.
3. Results will be disseminated in summary form, displayed by instructor and department, once per year through a Web site accessible to students and other members of the University community with the appropriate identification.

Footnotes:

¹ Forms are available in the Scoring Office, 114 Computer Center, telephone 355-1819.

Threats to a Faculty Member

Last updated: 3/14/1978

V. INSTRUCTION (Cont.)

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

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

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

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

Doctoral Program Guidance Committee, Composition

V. INSTRUCTION (*Cont.*)

Each graduate student admitted to a doctoral program has the responsibility to form a guidance committee with the approval and the assistance of the department or school chairperson or director or designated representative. The guidance committee will consist of at least four Michigan State University regular faculty,¹ at least three of whom, including the committee chairperson, possess an earned doctoral degree, preferably of the same type that the student is seeking (for example, Ph.D.).² An exception may be granted by the Dean of The Graduate School to allow a non-tenure stream faculty member or an academic specialist to serve on a doctoral student's guidance committee as one of the four required faculty members or as the chairperson of a doctoral student's guidance committee. With the approval of the chairperson or director of the department or school, an exception may be granted to allow an Emeritus faculty member to serve as one of the four required faculty members on a doctoral student's guidance committee; in addition, an Emeritus faculty member may continue to serve as the chairperson of a guidance committee. More than four persons may be members of the guidance committee. Persons who are not MSU regular faculty who can contribute to the student's program may serve as members of the guidance committee and assist in the work of the committee, providing that the number of such persons does not exceed the number of regular faculty on the committee. In consultation with the student, the guidance committee plans the entire program, including examinations, and thereafter supervises it, making modifications as needed until the degree is completed.

The guidance committee shall be formed within the first two semesters of doctoral study, or within two semesters beyond the master's degree or its equivalent. Within one semester after the committee has met, the chairperson of the guidance committee shall file a guidance committee report with the dean of the college, listing all degree requirements. A copy of this guidance committee report shall also be given to the graduate student. This guidance committee report, as changed or amended in full consultation between the graduate student and the committee and approved by the appropriate department or school chairperson or director and the dean of the college, shall be regarded as the statement of program requirements. The program will not be considered binding unless signed by the student.

The guidance committee report includes a statement of the student's proposed program, with a timetable and tentative dissertation topic. In the report, the committee also recommends whether to accept any graduate credit beyond the master's degree level that was taken at other institutions; whether any study may be done *in absentia*, and under what conditions; what language examinations or alternative program, if any, the student must complete; and which member of the committee should later direct the research that is to form the basis of the student's dissertation.

Once designated, the guidance committee has the responsibility to meet periodically to oversee the graduate student's progress for as long as the graduate student continues in good standing. Any desired or required changes in the membership of the guidance committee may be made by the graduate student with the concurrence of the unit chairperson or director or designated representative, or by the unit with the concurrence of the graduate student in accordance with University, college, and unit policy. The membership of the guidance committee, with the concurrence of the graduate student, may be changed as appropriate to the dissertation topic. Guidance committee chairpersons on leave shall provide for the necessary guidance of their advisees during their absence.

The guidance committee is responsible for insuring the adequacy of the overall program, in keeping with the general policy that three or more academic years of study and research beyond the bachelor's degree are required.

Footnote:

¹ The "regular faculty" of Michigan State University shall consist of all persons appointed under the rules of tenure and holding the rank of professor, associate professor, assistant professor, or instructor, and persons appointed as librarians. In addition, the principal administrative officer of each major educational and research unit of the University shall be a member of the "regular faculty."

² For the DMA degree, the guidance committee will consist of at least four regular MSU faculty, at least two of whom, including the committee chairperson, possess the DMA degree.

Sponsored Research and Creative Endeavor

VI. RESEARCH AND CREATIVE ENDEAVOR (Cont.)

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

Basic Policies

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

General Statement

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

Consulting Relationships

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

Major Guidelines

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

1. Science advanced through the creativity of scholars working either singly or in groups, and research projects proposed and developed by the faculty and consistent with the University's goals will be encouraged.
2. Sponsoring agencies frequently have rather specific purposes, and some may even specify problems for which research support is available. The University, through the Office of the Vice President for Research and Graduate Studies, will make such opportunities known appropriately within the University. However, faculty will be encouraged to participate only if the projects are considered consistent with their research interests and aspirations.
3. Sponsored research projects should, whenever possible, include the provision that new and promising leads of inquiry should be encouraged and fruitless lines be discontinued.
4. Sponsored research projects should be consistent with the policies and missions of the department(s) and of the college(s) in which the research will be conducted. The research should be directed by faculty within established units of the University such as departments, schools, centers, bureaus and institutes. Cooperative programs cutting across academic units are also encouraged.

5. Research projects should be managed so as to avoid disruption of established research and teaching programs of the institution, for example.
 1. Sponsored research should be accepted only if appropriate space and facilities are available.
 2. As appropriate, provisions should be made for continuity of support in order to stabilize required staff.
6. Reports to sponsoring agencies should be consistent with the requirements of the project. They should be submitted promptly to avoid unprofitable expenditures of time and energy on the part of the sponsoring agency and the researcher. Payment to the University on fixed price contracts is contingent upon submission of reports which, if not forthcoming, may result in "freezing" large sums of University funds in support of such research. Rapidly changing and unforeseen research directions may make frequent reporting desirable.
7. In seeking or accepting support for research, care should be exercised to insure compatibility with the functions and purposes of research at the University. Routine testing as an end in itself is considered incompatible with the purposes of University research.
8. The University should retain for its scholars the right of first publication. The imposition of restriction on publication of research results is incompatible with the basic concept of an educational institution. Exigencies of national defense may at times make exceptions to this policy on publication necessary. No publication, statement, or activity, either on behalf of the University or by an individual in their official capacity, shall endorse any commercial product, or advocate any specific commercial method or device, either directly or by implication.
9. The University should make a continuous effort to see that its own members are provided with sufficient information on overall cost of research and other financial matters concerning grants and contracts so as to minimize internal misconceptions that arise with regard to justifiable allowances for indirect costs.
10. The entire cost of sponsored research should be carefully determined; if grants or contracts are accepted which do not cover the direct and indirect costs, the institution should itself provide the additional financial support with the full recognition that it is making a contribution to the cost of the work.
11. Research proposals should include in their budgets provisions for special costs for services such as computer operations, electron microscopy, publishing costs, and shop fabrications.
12. Research projects must conform to established University policy on patent rights. (See section on Patents)
13. Research projects which involve use of animals, human subjects or hazardous substances such as toxic compounds, infectious agents, explosives, radioactive isotopes or recombinant DNA, etc. must conform to current University policies and guidelines. (Consult the Office of the Vice President for Research and Graduate Studies.)

Conflict Situations

Last updated: 3/20/1970

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

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

1. **FAVORING OF OUTSIDE INTEREST.** When a university staff member (administrator, faculty member, professional staff member, or employee) undertaking or engaging in Government-sponsored work has a significant financial interest in, or a consulting arrangement with, a private business concern, it is important to avoid actual or apparent conflicts of interest between the Government-sponsored university research obligations and the outside interests and other obligations. Situations in or from which conflicts of interest may arise are the:
 - Undertaking or orientation of the staff member's university research to serve the research or other needs of the private firm without disclosure of such undertaking or orientation to the university and to the sponsoring agency;
 - Purchase of major equipment, instruments, materials, or other items for University research from the private firm in which the staff member has the interest without disclosure of such interest;
 - Transmission to the private firm or other use for personal gain of Government-sponsored work products, results, materials, records, or information that are not made generally available. (This would not necessarily preclude appropriate licensing arrangements for inventions, or consulting on the basis of Government-sponsored research results where there is significant additional work by the staff member independent of the Government-sponsored research);
 - Use for personal gain or other unauthorized use of privileged information acquired in connection with the staff member's Government-sponsored activities. (The term "privileged information" includes, but is not limited to, medical, personnel, or security records of individuals; anticipated material requirements or price actions; possible new sites for Government operations; and knowledge of forthcoming programs or of official announcements);
 - Negotiation or influence upon the negotiation of contracts relating to the staff member's Government-sponsored research between the university and private organizations with which the staff member has consulting or other significant relationships,
 - Acceptance of gratuities or special favors from private organizations with which the university does or may conduct business in connection with a Government-sponsored research project, or extension of gratuities or special favors to employees of the sponsoring Government agency, under circumstances which might reasonably be interpreted as an attempt to influence the recipients in the conduct of their duties.

2. **DISTRIBUTION OF EFFORT.** There are competing demands on the energies of a faculty member (for example, research, teaching, committee work, outside consulting). The way in which the faculty member divides his/her effort among these various functions does not raise ethical questions unless the Government agency supporting the research is misled in its understanding of the amount of intellectual effort the faculty member is actually devoting to the research in question. A system of precise time accounting is incompatible with the inherent character of the work of a faculty member, since the various functions the faculty member performs are closely interrelated and do not conform to any meaningful division of a standard work week. On the other hand, if the research agreement contemplates that a staff member will devote a certain fraction of his/her effort to the Government-sponsored research, or the faculty member agrees to assume responsibility in relation to such research,

a demonstrable relationship between the indicated effort or responsibility and the actual extent of the involvement is to be expected. Each university, therefore, should -- through joint consultation of administration and faculty -- develop procedures to assure that proposals are responsibly made and complied with.

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

University Responsibility

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

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

The above process of disclosure and consultation is the obligation assumed by the university when it accepts Government funds for research. The process must, of course, be carried out in a manner that does not infringe on the legitimate freedoms and flexibility of action of the university and its staff members that have traditionally characterized a university. It is desirable that standards and procedures of the kind discussed be formulated and administered by members of the university community themselves, through their joint initiative and responsibility, for it is they who are the best judges of the conditions which can most effectively stimulate the search for knowledge and preserve the requirements of academic freedom. Experience indicates that such standards and procedures should be developed and specified by joint

administrative-faculty action.

Facilitation of Research and Creative Efforts

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

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

Office of the Vice President for Research and Graduate Studies

VI. RESEARCH AND CREATIVE ENDEAVOR *(Cont.)*

This office assists faculty in a number of ways:

1. It administers the Intramural Research Grants Program, which supports projects that are judged to be competitive for external funding or are otherwise expected to advance the scholarly enterprise of the university, and the Strategic Partnership Grants program, which provides larger grants for projects deemed to be strategically significant to the university.
2. It provides support and oversight for major centers, analytical facilities, animal care facilities, safety and environmental services, and other functions that enhance research activities.
3. Working with the Office of the Provost, it administers certain funds made available from the MSU Foundation to provide startup support for new faculty, matching for external grants, and seed monies for new projects that have the potential to attract funds from outside sponsors. (Faculty seeking matching funds are advised to initiate discussions first with their department chairperson and college dean.)
4. It helps identify opportunities for external support of research and creative activities; manages participation in programs that limit the proposals an institution may submit; provides guidance and support for meeting requirements of the Michigan Life Sciences Corridor program; offers instruction on preparing and submitting proposals.
5. It maintains a [website](#) with information about conducting research at Michigan State and links to other sources of information about research activity.

Also part of the Office of the Vice President for Research and Graduate Studies are the Office of Research Ethics and Standards, which promotes the ethical conduct of research and assures compliance with federal, state, and university laws and policies, and the Office of Intellectual Property, which protects faculty inventions, represents the university in licensing those inventions, manages MSU's portfolio of patents and licenses, and administers patent policy.

Internal Research Funding

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

The Strategic Partnership Grant (SPG) program supports larger projects that are aimed at establishing long-term centers of excellence on the campus. Funding under this program generally requires that the project be multidisciplinary, that it be in an area of high priority for the units involved, and that it have a high probability of attracting external support for a sustained period of time. The funding limit for this program is \$400,000 total for projects up to three years in duration.

The Humanities and Arts Research Program (HARP) provides two types of internal funds to support faculty who are conducting important research, creative and performance projects and activities in the arts and humanities. The limited funding is designed to 1) support faculty for projects that seem likely to enhance the reputation of the faculty member and the university where external support is not generally available, and 2) support projects that will be using the funds to seek extramural funding.

The Scholarship Development portion of HARP makes awards for research, creative, and performance projects of the kind that will help faculty achieve their career milestones of reappointment, tenure, promotion, and annual merit evaluation. The funding limit for this program is \$25,000.

The Scholarship Production portion of HARP is a subvention program whose purpose is to help subsidize the costs of book publication, permissions to use copyrighted materials, CD recording and production, the creation of mounting of exhibits and other expenses associated with producing the results of a completed research or creative project. The funding limit for this program is \$7,000.

The Discretionary Funding Initiative (DFI) supports faculty who require funds to bridge grants or complete additional studies needed for the resubmission of a grant application. The submission of applications to the DFI program is a two step process. Faculty will be required to submit a request to their Research Associate Dean, and applications supported by the college will then be recommended to the Office of the Vice President for Research and Graduate Studies. The maximum DFI award from the OVPRGS is \$50K, and there is an additional requirement of a 20% match to be provided by the unit or college. It should be noted that, although the recommendation of the College will be one of the primary criteria for the decision on funding DFI project, not all projects recommended will necessarily be funded. Faculty should refer to the [Council of Research Deans \(CORD\) website](http://www.cord.msu.edu) (www.cord.msu.edu) for the list of Research Associate Deans. Each college has developed their own process for submitting and reviewing applications at the college level.

The Targeted Support Grant for Technology Development (TSGTD) provides funding for the enhancement, optimization and/or other development of selected technologies that have commercial potential as identified by MSUT Management and Technology Managers. These grants will accelerate the process of transforming promising technologies into products that are responsive to market demand, and should increase the commercial value of technologies and enable MSU to retain a greater share of ownership. The amount of funds awarded and the duration of the award varies. MSUT Tech Managers are responsible for identifying and nominating all TSGTD projects.

University-level programs administered outside the Office of the Vice President for Research and Graduate Studies include the [Michigan Applied Public Policy Research](http://www.ippsr.msu.edu/public-policy/michigan-applied-public-policy-research-mappr) (administered by the Institute for Public Policy and Social Research; see <http://www.ippsr.msu.edu/public-policy/michigan-applied-public-policy-research-mappr>) and the [Pearl J. Aldrich Endowment in Aging-Related Research](http://www.pearlaldrich.com/home) (see: <http://www.pearlaldrich.com/home>).

Support for Development of Intellectual Property

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

A limited amount of funding is available through the [Office of Intellectual Property](#) to support innovative projects that have the potential to generate patents and royalty income. For example, funds might be provided to purchase an instrument that would facilitate additional studies to bring an idea to a patentable stage. For more information, contact the Director of the Office of Intellectual Property, in the Office of the Vice President for Research and Graduate Studies.

The MSU Foundation

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

The Michigan State University Foundation receives and invests royalty income generated by University patents and licenses and returns funds to MSU for a variety of research purposes. For example, funding for Strategic Partnership Grants and for some awards in the Intramural Research Grants Program and the funds available for development of intellectual property are derived from the MSU Foundation. The Foundation does not directly accept proposals from MSU faculty. Recommendations for projects to receive Foundation funding are the joint responsibility of the Office of the Provost and the Office of the Vice President for Research and Graduate Studies. Faculty are encouraged to discuss potential proposals first with their department chairpersons and deans who will forward requests to the Provost and the VPRGS. Support for projects is often contingent on cost-sharing by the college and department involved. A portion of MSU Foundation funds supports larger projects, involving multidisciplinary collaborations, which may lead to external support for a national center of excellence. Some Foundation funds are also reserved for support of symposia and conferences. In rare cases a compelling project may be taken to the Foundation by the Provost and Vice President for Research and Graduate Studies for special consideration outside the usual allocation process.

International Travel

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

The Special Foreign Travel Fund provides partial funding for faculty presenting papers or otherwise playing significant roles at international meetings. Contact International Studies and Programs for eligibility criteria and other information.

Sponsored Programs Administration, Office of Sponsored Programs or Business Connect, and Contract and Grant Administration

Pre- and Post-award Administration of Externally Funded Sponsored Projects/Programs

VI. RESEARCH AND CREATIVE ENDEAVOR (Cont.)

Formal agreements/awards by funding organizations to support research and creative projects are normally made between the organization and the University rather than with individual faculty. Sponsored projects must also be compliant with agreement/award terms and conditions, institutional policies, agency policies, and federal and/or state regulations. The offices of [Sponsored Programs Administration](#) (SPA), [Office of Sponsored Programs](#) (OSP), [Business Connect](#) (BC) for industry funding (when not ultimately from a Federal or State funding source) and [Contract and Grant Administration](#) (CGA) provide support and ensure compliance throughout the lifecycle of an award. Proposals should be reviewed by the OSP or BC before submitting to outside sponsoring entities to ensure conformity with University policies, such as facilities and administrative costs, cost-sharing and compliance issues.

Institutional approval must be granted before a proposal is submitted to a sponsor. At MSU, institutional approval is obtained through a series of intermediate approvals, beginning with the investigators named in the proposal, and ending with OSP or BC. These approvals are received through a Proposal Development document within the Quali Coeus (KC) system. KC also facilitates formal acceptance of an award by the Board of Trustees. When an official award notice/document is received from a funding organization, the award/agreement document is reviewed, negotiated and fully executed by OSP/BC, and passed to CGA to finalize the account setup.

Regulatory Guidelines for Research

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

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

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

Environmental Health and Safety

8/15/18

Safety is a critical component of scholarly excellence and is integral to the responsible conduct of research.

Safe work practices in research, teaching, and outreach activities are subject to state and federal laws and guidelines. General University oversight and coordination is provided by the [Office of Environmental Health and Safety \(EHS\)](#), which reports to the Office of Regulatory Affairs. The Chemical Hygiene Committee, the Radiation Safety Committee, and the Institutional Biosafety Committee assist EHS in ensuring applicable federal, state and MSU policies are followed.

The Principal Investigator (PI) has the primary responsibility for the safe conduct of teaching and research, which includes the review and approval of all related research or teaching activities, the identification and mitigation of attendant risks and hazards, and the maintenance of adequate oversight and control of assigned work and teaching spaces.

In general, the principal investigator **must**:

1. Assign appropriate training and maintain current training records for all employees, students, visitors and volunteers in the laboratory. This includes training for use of all potentially hazardous equipment, instruments, and devices, which include hand and power tools, agricultural vehicles, heavy machinery and other equipment used for teaching and research.
2. Be aware of the MIOSHA Hazard Communication Standard and other relevant worker safety standards, post warnings and restrict entry to work areas containing potentially hazardous activities, provide appropriate personal protective equipment, and ensure all personnel dispose of hazardous waste in a legal and environmentally sound manner.
3. Request and acquire approval from relevant University committees or units before initiating teaching, research, or service activities involving regulated materials such as radioisotopes, controlled substances, infectious and toxic agents, select agents, recombinant DNA, genetically modified organisms, Class A carcinogens, equipment emitting magnetic, x-ray or radio frequency fields, pesticides, and Chemicals of Interest as defined by the US Department of Homeland Security. Work with these substances cannot commence until the activity has been approved by the appropriate safety committee(s).
4. Accept responsibility for any regulated materials in their facilities by preventing releases to the environment, implementing security measures to prevent loss or theft, and the maintenance of accurate chemical, biological and radiological inventories. Spills, thefts, losses or accidents that could impact the environment, threaten the health of people and/or animals, or could cause damage to infrastructure must be reported to EHS immediately.
5. Notify EHS prior to vacating a laboratory or other work space or area containing hazardous materials and clearly identify those materials before departing the University.

Principal Investigators and their staff are encouraged to contact and consult with the EHS office by phone: (517) 355-0153 or email: ehs@msu.edu with any questions, such as whether an activity requires EHS review. Additional information can be found at the EHS website: www.ehs.msu.edu.

Human Research Protection Program

8/16/18

The Michigan State University (MSU) Human Research Protection Program's (HRPP) primary mission is the protection of individuals who are the subjects of research and/or clinical investigations. MSU is committed to follow the ethical standards described in the Belmont Report, and all applicable federal, state, local, and university requirements. The HRPP at MSU has developed the structure, and requirements to implement this mission and commitment. The processes of training, review, and monitoring described in the HRPP Manual serve to ensure the safe and ethical conduct of research and/or clinical investigations. ([See HRPP Manual 3-1, MSU Human Research Protection Program Plan.](#))

The Vice President for Research and Graduate Studies (VPRGS) has been designated as the Institutional Official for MSU's HRPP. ([See HRPP Manual 4-4, Institutional Official.](#)) The HRPP office is organized under the Office of Regulatory Affairs in the Office of the VPRGS. The HRPP includes the offices of the Institutional Review Board (IRB) and Compliance and provides support to the MSU IRBs. The HRPP encompasses not only the IRB requirements for the protection of human subjects, but other additional areas of human research regulatory oversight that are broader than the IRB requirements (e.g., U.S. Food and Drug Administration regulations, protected health information, clinicaltrials.gov, clinical research billing compliance that provide protection for human subjects. (See HRPP Manual for requirements.)

MSU HRPP requirements apply to all of MSU's human subject research and/or clinical investigations related activities regardless of funding support or location where the research and/or clinical investigation will be conducted (i.e. domestic, international), including activities of its Institutional Review Boards (IRBs). These requirements apply to human subject research and/or clinical investigation conducted by employees of MSU (faculty and staff), by students of MSU, by agents of MSU (i.e. individuals engaged by MSU to conduct human subject research on behalf of MSU), or by individuals conducting research and/or clinical investigations at entities that have a formal written agreement with MSU for review and approval of their human subject research and/or clinical investigation. An investigator planning to conduct human subject research and/or a clinical investigation must submit an application to the MSU HRPP.

Investigators should contact the IRB office with any questions regarding whether an activity constitutes research involving human subjects, or whether the activity is a clinical investigation involving human subjects. HRPP staff will determine whether the activity meets the definition of human subject research and /or clinical investigation based on federal regulatory definitions. See HRPP Manual 4-3, Determination of Human Subject Research. Human subject research and/or clinical investigations must be approved by an IRB or determined to be exempt from IRB review prior to any human research and/or clinical investigation activity, including interacting or intervening with subjects and obtaining or analyzing identifiable private information about subjects. (See HRPP Manual 4-1, Applicability, for more information.)

Any individual who is involved in conducting a human subject research and/or clinical investigation study that is under the jurisdiction of the MSU HRPP is responsible for, including but are not limited to, carrying out sound ethical research consistent with research plans approved by an IRB, following MSU requirements, and complying with all applicable laws, regulations, and grants policy. This includes IRB requirements as well as other applicable regulatory requirements such as the U.S. Food and Drug Administration regulations for investigational drugs and devices, protected health information under the Health Insurance Portability and Accountability Act of 1996, clinicaltrials.gov requirements, and clinical research billing compliance. These responsibilities extend to all individuals (e.g., all investigators, research staff, employees, students) engaged in research and/or clinical investigations with human subjects. (See HRPP Manual 4-6, Responsibilities of Investigators.)

The principal investigator (PI) has overall responsibility for the conduct of human subject research and/or clinical investigation studies, including but not limited to the hiring of qualified staff, ensuring that the staff have training appropriate for their role in the study and for the protection of human subjects, following the IRB-approved study and complying with the IRB approval and any applicable regulatory requirements, promptly reporting events (e.g. any non-compliance, unanticipated problems), maintaining IRB approval throughout the duration of the human research and/or clinical investigation, and maintaining oversight over the conduct of the study including following proper recruitment, consent, and research procedures, and maintaining security and storage of research data. (See HRPP Manual 4-9, Designation as Principal Investigator.)

Individuals are encouraged to contact the HRPP office by phone: (517) 355-2180 or email: irb@msu.edu with any questions, such as whether an activity requires IRB review. Additional information, including the HRPP Manual, can be found at the HRPP website: www.hrpp.msu.edu.

Use of Animals in Research, Teaching, and Outreach

The use of animals in research, teaching, and outreach activities is subject to state and federal laws, policies, accreditation standards, and guidelines. Specifically:

- all animals under University care (that is, involved in projects under the aegis or sponsorship of the University) will be treated humanely;
- prior to their inception, animal use activities must be approved by the Institutional Animal Care and Use Committee (IACUC);
- MSU will comply with state and federal regulations regarding animal use and care.

Responsibility for assuring compliance with state and federal regulations belongs to the Vice President for Research and Graduate Studies who is the Institutional Official as defined in federal regulations.

ANIMAL CARE PROGRAM

IACUC

The IACUC has responsibility and authority under federal law for the assessment and oversight of the institution's program of animal care and facilities.

Project directors are responsible for the humane treatment of animals under their supervision, and for adherence to applicable University, state, and federal regulations. University personnel planning to use live vertebrate animals must submit an animal use protocol through Click (<https://animalcare.msu.edu/click/index.html>), exemption request, or an Outreach Notification Form to the IACUC prior to the start of the project (<https://animalcare.msu.edu/click/index.html>). Required information includes complete descriptions of experimental protocols, plans for animal care, available facilities, and any other matters relevant to the project. Work with animals cannot commence until the activity has been approved by the IACUC or an exemption has been granted.

Individuals involved in activities using animals at or under the sponsorship of MSU are responsible for conducting sound ethical research, teaching, and/or outreach activities consistent with the plans approved by the IACUC, following MSU policies and procedures, and complying with all applicable laws, regulations, and agency policies. The principal investigator is responsible for the conduct and oversight of the animal activity, and for the protection of the animals involved. The following principal investigator responsibilities are not necessarily all inclusive and encompass requirements that others involved in the conduct of animal activities also must follow.

In general, the principal investigator must:

1. Be aware of appropriate policies, procedures, and guidelines that apply to their activities; if in doubt about any aspect of the use of animals, contact the IACUC to obtain relevant information.
2. Maintain current training records on the use of animals and ensure that all personnel under his or her supervision that have contact with the animals have current animal training including the appropriate Environmental Health and Safety (EHS) training and Occupational Health assessments.
3. Maintain adequate oversight over the conduct of the activities, including all personnel involved in the activities.
4. Obtain prior IACUC approval as required, including but not limited to:
 - a. Before initiating activities using animals at MSU and/or at any performance site.
 - b. Modifications to the approved activities prior to implementing any changes, except those necessary to

eliminate apparent immediate hazards.

c. Renewal of the approval as required and in sufficient time to allow for IACUC review prior to the expiration of current approval.

5. Report to the IACUC as required, including but not limited to:

a. Activities or circumstances that may affect the well-being and/or welfare of the animals, including animal welfare concerns, complaints or questions.

b. Unanticipated problems involving the animals.

c. Potentially serious or continuing noncompliance with the regulations or the requirements or determinations of the IACUC.

d. Emergency clinical interventions.

e. Protocol deviations.

6. Maintain activity records as required by MSU and applicable regulations after completion of the study, at a minimum of three years.

Individuals are encouraged to contact the IACUC office by phone: (517) 432-8103 or email: iacuc@msu.edu with any questions, such as what type of IACUC review is required. Additional information can be found at the IACUC website: <https://animalcare.msu.edu/>.

Campus Animal Resources

Campus Animal Resources (CAR) is comprised of biomedical animal housing facilities and University and Extension farms. CAR reports to the Vice President for Research and Graduate Studies and provides a comprehensive program of animal care for all animal colonies, as well as training in animal practices and procedures for personnel. CAR also participates in developing institutional policies designed to insure humane treatment of animals and to assist personnel in maintaining high quality care of animals used at MSU. The MSU Attending Veterinarian has oversight over animal welfare for all animals used in research, teaching, testing and production at MSU.

Additional information regarding both general principles and specific issues that apply to the care and use of animals at Michigan State University is available through CAR and the IACUC.

Individuals are encouraged to contact CAR by email: carinfo@msu.edu. Additional information can be found at the CAR website: <https://animalcare.msu.edu/>.

Laboratory Animal Care

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

[University Laboratory Animal Resources \(ULAR\)](#), which reports to the Vice President for Research and Graduate Studies, provides a comprehensive program of animal care for all laboratory animal colonies, as well as training for researchers. ULAR also participates in developing institutional policies designed to insure humane treatment of animals and to assist investigators in maintaining high quality care of animals used in MSU projects.

Additional information regarding both general principles and specific issues that apply to the care and use of animals at Michigan State University is available through ULAR and the IACUC.

Patents

Last updated: 7/1/2017

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

This policy was approved by the Board of Trustees on November 15, 1930 and revised on February 14, 2001 and July 1, 2017.

Michigan State University's primary obligation in conducting research and scholarly activities is the pursuit of knowledge for the benefit and use of society. Consistent with its public service mission and with the laws and regulations governing federally-funded research, to which this Policy is subject, the University endeavors to foster the development of its inventions and discoveries through patenting and licensing to industry. A patent provides an incentive for a company to license an invention from the University and to invest in developing and marketing products based on the invention. Licensing proceeds provide a means for the University to recognize and reward the creative research efforts of inventors and to support additional University research.

I. Applicability and Administration of Policy

This Policy governs the ownership, protection, use, and commercialization of inventions and discoveries of University faculty, students, and staff. (The University's policy concerning works of copyright is addressed separately in the Development of Copyrighted Materials policy.)

The President shall be responsible for administering this Policy and managing University Inventions, as hereafter defined. In consultation with the President and the Provost, the VPRGS may authorize exceptions to this Policy that she/he determines to be in the best interest of the University.

II. Ownership

(a) All discoveries or inventions by a University employee which: (i) result from research which is supported by University funds or by funds controlled or administered by the University, or (ii) were created in a field of work or study directly related to the employee's scholarly or other academic endeavors at the University; or (iii) have been developed in whole or in part through the use of University resources or facilities, shall belong to the University (hereinafter "University Inventions").

(b) The University does not own discoveries or inventions created by students unless the student (i) is employed by the University (in which case the University's ownership is determined under the previous paragraph), (ii) made the discovery or invention using funds controlled or administered by the University, except grants or awards specifically designed to encourage student innovation and entrepreneurship, or (iii) made the discovery or invention in whole or in part through use of University resources or facilities other than those generally available to students. Students may elect to assign to the University their intellectual property rights in inventions or discoveries which the University does not own. If the University accepts such an assignment, the University will administer the student's discovery or invention as if it were a University Invention under this Policy.

(c) This Policy is applicable to discoveries and inventions made by faculty members and other University employees who engage in approved outside work for pay under the applicable University policy. An employee must disclose to MSU Technologies (MSUT) inventions and/or discoveries made during the performance of outside work for pay. Ownership of discoveries and inventions made by faculty members and other University employees during approved outside work for pay will be determined by MSUT in accordance with guidelines in the companion handbook to this Policy. Faculty members or other University

employees engaged in approved outside work for pay shall not assign any rights in inventions or discoveries created during the outside work for pay unless the assignment is submitted to MSUT for its review and assessment prior to the start of the outside work for pay and MSUT determines that the inventions or discoveries to be assigned are not University Inventions.

(d) The University may choose to assign its ownership of University Inventions to their inventors or others when it is deemed to be in the best interest of the University to do so. The VPRGS will provide guidelines for such circumstances in the companion handbook to this Policy.

III. Assignment; Duty to Cooperate

All individuals subject to this Policy are (a) obligated to assign and do assign to the University all right, title, and interest in and to all University Inventions of which they are inventors; and (b) have a duty to cooperate with the University when it seeks intellectual property protection for such University Inventions and in complying with legal obligations to research sponsors relating to such University Inventions. The University shall control the administration and disposition of University Inventions in its sole discretion.

IV. Obligation to Disclose University Inventions

In order to assist the University in protecting University Inventions, University employees and students shall report any University Inventions to MSUT in a timely manner. As a general rule, such reports must be made prior to disclosing such discoveries or inventions through publications, presentations, or communications with third parties (including research sponsors) in a manner which may inhibit or preclude the University from obtaining patent protection. [Disclose an invention here.](#)

V. Distribution of Revenue and Equity from Technology Transfer

(a) When they occur, the economic benefits arising from the commercialization of University Inventions will be shared among the inventor(s), the inventor’s major administrative unit (MAU), and the University.

(b) The University will recover all direct cumulative expenses incurred for the patenting, protecting (including litigation related to the patent), marketing, and licensing of each University Invention from its licensing proceeds before distributing the net proceeds.

(c)
 (i) For University Inventions with more than one inventor, all inventors must agree in writing to each inventor’s share of the total percentage of net proceeds allocable to the Inventor(s), as set forth below. Absent such an agreement, the University will divide the inventors’s share of the net proceeds equally among them.

(ii) Except as set forth in section V(c)(iii), distributions of net licensing proceeds will be made as follows:

| Net Licensing Proceeds on a Particular University Invention | Inventor(s) | Major Administrative Unit | University |
|--|--------------------|----------------------------------|-------------------|
| First \$100,000 | 50% | 25% | 25% |
| Next \$900,000 | 30% | 30% | 40% |
| Over \$1,000,000 | 30% | 10% | 60% |

(iii) The distribution of net licensing proceeds obtained under technology transfer agreements effective before July 1, 2017 will be made as follows:

| Net Licensing Proceeds | Inventor(s) | Major Administrative Unit | University |
|-------------------------------|--------------------|----------------------------------|-------------------|
|-------------------------------|--------------------|----------------------------------|-------------------|

| on a Particular University Invention | | Administrative Unit | |
|--|---------|----------------------------|---------|
| First \$5,000 | 100% | 0 | 0 |
| Next \$100,000 | 33 1/3% | 33 1/3% | 33 1/3% |
| Next \$400,000 | 30% | 30% | 40% |
| Next \$500,000 | 20% | 20% | 60% |
| All Additional Net Licensing Proceeds over \$1,005,000 | 15% | 15% | 70% |

(d) Consideration received by the University in connection with the commercialization of a University Invention may include shares of stock or other securities. The University or the Michigan State University Foundation, as the University's assignee, shall control the administration and disposition of any equity received will be distributed as license proceeds in the manner described above.

Book Publication, MSU Press

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

[Michigan State University Press](#) is the scholarly publishing arm of the university. Consonant with MSU's land-grant mission and its stature as a member of the Association of American Universities (AAU), the Press's primary function is to publish the results of research and intellectual inquiry undertaken by scholars.

A manuscript, prospectus, or query letter may be sent to the Press for consideration at any time. After an initial evaluation by the Press editorial staff, works submitted for publication are subject to peer review by scholars in the relevant field of specialty. In addition, these works will undergo evaluation by the MSU Press Editorial Advisory Board, after which the Press will make a determination of suitability for publication.

MSU Press will market, sell, and otherwise make available its books to scholars, libraries, and to members of the informed reading public. A catalog of the Press's in-print, published works is available on request.

Development of Copyrighted Materials

Last updated: 5/6/2005

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

The following policy was approved by the Board of Trustees on June 22, 2001 and revised on May 6, 2005; it replaces the statement on Development of Instructional Materials approved by the Board of Trustees on November 16, 1973.

Introductory Concepts

"Circular 1: Copyright Basics", issued by the United States Copyright Office in the Library of Congress¹, begins with the following definition:

"Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code) to the authors of "original works of authorship," including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:

- + To reproduce the work in copies or ;*
- + To prepare derivative works based upon the work;*
- + To distribute copies or phonorecords of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending;*
- + To perform the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audiovisual works;*
- + To display the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work; and*
- + In the case of sound recordings, to perform the work publicly by means of a digital audio transmission.*

In addition, certain authors of works of visual art have the rights of attribution and integrity as described in section 106A of the 1976 Copyright Act."

Among its several other provisions, Circular 1 states:

"Copyright protects "original works of authorship" that are fixed in a tangible form of expression."

"Copyright protection subsists from the time the work is created in fixed form. The copyright in the work of authorship immediately becomes the property of the author who created the work. Only the author or those deriving their rights through the author can rightfully claim copyright. In the case of works made for hire, the employer and not the employee is considered to be the author. Section 101 of the copyright law defines a "work made for hire" as: (1) a work prepared by an employee within the scope of his or her employment; or (2) a work specially ordered or

commissioned for use as a contribution to a collective work, as a part of a motion picture or other audiovisual work, as a translation, as a supplementary work, as a compilation, as an instructional text, as a test, as answer material for a test, or as an atlas, if the parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire..... The authors of a joint work are co-owners of the copyright in the work, unless there is an agreement to the contrary."

and

"Copyright in each separate contribution to a periodical or other collective work is distinct from copyright in the collective work as a whole and vests initially with the author of the contribution."

Section I -- Ownership Principles

MSU follows standard academic practice in disclaiming ownership of, and royalties proceeding from, traditional academic works (books, essays, works of art, musical compositions and recordings, and the like), unless one or more "Special Circumstances" exist. The Special Circumstances that cause the University to retain copyright ownership are set forth in Section II, below. Works for which Special Circumstances exist and of which the University retains ownership are called "University-owned" works in this Policy.

It is also the tradition at Michigan State University and its peer institutions for eligible "University Authors" to share in third-party licensing revenue received by the University in those cases where Special Circumstances cause the University to retain copyright ownership. Eligible University Authors are identified in Section III.

Students who author or create copyrighted works which are submitted to meet course requirements own the copyrights in such works, even if they have been created using University facilities. Neither the course instructor nor the University may utilize or distribute student-owned copyrighted works for purposes beyond those of the course in which they are submitted without obtaining the written permission of the student. Students also own the copyrights in their theses and dissertations.

Section II -- Special Circumstances in which the University Retains Copyright Ownership

The University retains the ownership of copyrighted works created by one or more of its employees within the scope of their employment whenever at least one of the following Special Circumstances applies:

1. Creation of the work involved substantial² use without charge of equipment, materials, or staff services of any of the various units of the University;
2. Creation of the work was supported with money, released time³, or other substantial² resources from any unit of the University;
3. Creation of the work was directly commissioned⁴ by the University or one of its units, where the employee(s) who created the work did so using some part of the time for which compensation was received from any University budget, including any grant or contract budget administered by the University or any budget based on special legislative appropriations; or
4. Creation of the work occurs in University-approved faculty outside work for pay, if in the opinion of the administrators approving such outside work for pay the work predictably competes with University functions or products that are, or reasonably might be, developed and offered by the University in the furtherance of its mission.

In some cases, University units may wish to provide substantial support for the creation of copyrightable works without such support constituting a Special Circumstance. (For example, manuscript completion

subventions are common in certain disciplines.) In such event, the unit should contact the Office of the Provost prior to providing the support. The Office of the Provost shall have discretion to grant a waiver in appropriate cases, after obtaining the agreement of all units providing support for the work in question.

Payment of salary to an individual on sabbatical shall not be construed as support for the creation of a specific work, and hence shall not by itself constitute a Special Circumstance.

Any person who has a question as to whether the creation of a particular work falls within the scope of employment and/or qualifies under one or more of the Special Circumstances should initiate an inquiry with the Office of the Provost as soon as possible after the question arises.

Section III -- University Authors of Works Owned by MSU

For the purposes of this Policy, a University Author of a work is anyone of the following who, in the scope of his/her employment at the University, authors or creates, either alone or in collaboration with others, a University-owned work:

1. faculty member,
2. specialist,
3. librarian,
4. executive manager,
5. postdoctoral research fellow,
6. research associate appointed through the academic personnel system,
7. MSU Extension or Experiment Station field staff member,
8. FRIB/NSCL continuing appointment system staff member,
9. graduate or graduate professional student conducting academic research or creative activity, or
10. undergraduate student conducting academic research or creative activity.

Any member of the University community who contributes to the creation of a University-owned work may be treated as a University Author with respect to that work upon the written agreement of all authors or creators of that work who are themselves University Authors.

In addition, the Office of the Provost shall have discretion to enter into agreements whereby University Author status is granted to and accepted by other individuals who hold a copyright interest in a given work and who assign such interest to the University.

If for a given University-owned work there exists no living or dead University Author, then the provisions of this Policy regarding University Authors are inapplicable to that work.

Section IV -- External Constraints on Copyright Ownership

Copyrighted works created by University employees and produced under grants to the University from the federal government or other extramural funding sources, or produced under contracts between the University and third parties, shall be subject to the contract or grant with respect to copyright ownership, distribution and use, and other rights.

Section V -- Internal Use of University-Owned Works

Each use of a University-owned work by any unit of the University shall be subject to the following conditions:

1. Use internal to the University requires approval of the unit⁵ primarily responsible for the creation of the University-owned work. Such approval will be deemed implicit when the sponsoring unit⁵ agrees

- to storage and distribution by the University and if the sponsoring unit schedules courses and assigns instructional duties to which the University-owned instructional work is relevant.
2. As long as a faculty member who is a University Author of University-owned material that was not directly commissioned by the University remains a member of the faculty of the University, his/her approval shall be required for internal use of the University-owned work, and his/her contribution should be explicitly acknowledged by the University user.
 3. To ensure the viability of long-term programs dependent upon University-owned works directly commissioned by the University, units of the University may use such directly commissioned works on a continuing basis, with or without the approval or further involvement of their University Authors. The contribution of University Authors should be explicitly acknowledged by the University user. A University Author of such work may petition the Office of the Provost that it be withdrawn for good cause (e.g., if the work contains serious errors or deficiencies in content or pedagogy that are not being resolved through amendment). The Office of the Provost may seek peer evaluations of the work in question, to assist it in assessing such withdrawal requests.
 4. When a University Author is no longer an employee of the University, the University may make internal use of the University-owned works he or she created without his/her approval or further involvement. A University Author no longer employed by the University may petition the Office of the Provost that such work be withdrawn for good cause (e.g., if the work contains serious errors or deficiencies in content or pedagogy that are not being resolved through amendment). The Office of the Provost may seek peer evaluations of the work in question, to assist it in assessing such withdrawal requests.

Section VI -- External Use and Publication

1. Subject to the provisions of this Policy, the University may, at its discretion, assign, transfer, lease, or sell all or part of its legal rights in a University-owned work, or place such work in the public domain. Where academically appropriate and feasible, the University may obtain other forms of legal protection for such University-owned works in the name of the University.
2. University Authors who create a peer-reviewed or public service/outreach work that is University-owned under the provisions of Section II are delegated authority to transfer the copyright in that work to a publisher without administrative intervention, provided all of the following conditions are met:
 1. such transfer is agreed to in advance by the complete set of authors,
 2. the work in question was not directly commissioned by the University,
 3. neither the authors nor their unit(s) will receive compensation for such transfer,
 4. such transfer is reported promptly to the University via the administrative system provided for that purpose,
 5. except for the transfer of copyright, the transfer agreement does not contractually bind the University,
 6. the work and the copyright transfer do not violate third party rights, and
 7. the work and the copyright transfer otherwise conform to scholarly norms.

This authorization may be extended to works involving compensation of authors and/or units where such compensation does not exceed a level periodically approved by the University.

3. All other use, licensing, and/or sale of University-owned works external to the University (for example, use by educational institutions other than the University, by government and other non-profit institutions, and use resulting from lease or other contractual arrangements for commercial distribution of the works) may be undertaken by the University at its discretion following receipt of a written memorandum from all University Authors of the work, agreeing to such external use, licensing, and/or sale. Such agreement shall not be unreasonably withheld.

Section VII -- Revision of University-Owned Works

1. The University Author(s) of a University-owned work may revise it at any time, provided that the revision does not require substantial University resources, and that he/she gives the University and other University Authors of the work (if any) notice of the revision. When substantial University resources are required for an author-initiated revision of a University-owned work, the University Authors shall request advance approval of the resource allocation from the unit(s) sponsoring the work⁵ and/or providing the resources.
2. All surviving University Authors primarily responsible for the creation of a University-owned work must concur in its revision, unless the work was directly commissioned by the University
3. The revision of University-owned works that were directly commissioned by the University may also be initiated by the University at its election, with or without the approval or participation of the work's original University Authors. However, the University Authors of the original work are entitled to continuing credit for their contributions to the derivative work created through such revision, if they desire to have their names associated with the derivative work. In addition, if the derivative work is externally sold or licensed, the University Authors of the original work are entitled to such participation in University Author royalty sharing under Section VIII as may be equitable in the specific circumstances.

Section VIII -- Payments to University Authors

1. a) If the University markets a University-owned work for external use, any net income actually received by the University (after the documented cost of production, sales, advertising, distribution and any unrecovered overhead, but not to include the costs of original development unless so stipulated in the contract or grant) shall be distributed so that the University Author (or all University Authors collectively if there is more than one) receives the first \$5,000 of such net income, 50% of the next \$20,000, 30% of the next \$50,000, and 25% of all additional net income. The University shall retain and use the remainder of the net income to encourage further development of copyrightable works.

b) If the University contracts with a third party to reproduce and sell a University-owned work, the total royalties shall be negotiated between the University (after consultation with the University Author(s)) and the third party, and the net income shall be distributed to the University Author(s) and retained and used by the University in accordance with the schedule and for the purpose set forth above.
2. If a University-owned work prepared for use in another unit of the University is used for extension instruction with the advice and assistance of its University Author(s), then Michigan State University Extension, in accordance with its existing policies, may make additional payment to the University Author(s) for such advice and assistance.
3. A University Author may be compensated for use of University-owned video materials in which the University Author personally and prominently appears, when such materials are used while the University Author is not on assignment with the University (e.g., when the University Author is not appointed during summer session, or is on leave). Compensation should be mutually agreed upon in advance by the University Author and the unit(s) involved, based upon (a) the amount of continuing responsibility of the University Author for the use of the University-owned video material; (b) whether the University-owned video material is complete in itself or embedded in another work; and (c) the extent to which the University Author's time and creative efforts have previously been compensated. As a guideline for works in video format, the University author may be compensated on the basis of load credit or salary equal to 1% of the annual salary for each six video hours developed. Such payment or credit should be limited to a period of two years.

Section IX -- Transfer of Rights to University Author

If the University discontinues use of University-owned instructional materials in their existing form for more than two years, if no revision is in process, if the University is not otherwise bound by grant or contract, and

if all living University Authors of the instructional materials so request in writing, the University shall transfer the copyrights in such instructional materials to the University Author(s), provided that the University Author(s) shall be required to pay all costs associated with the transfer, including expenses associated with copying, mailing and handling, duplication and copyright transfer, but not to include original costs of production.

Section X -- Protection and Liability

1. Protection

1. The Office of the Provost shall investigate allegations of unauthorized use or copyright infringement of University-owned works and shall recommend appropriate action. If the University initiates legal action in response to an unauthorized use or infringement, all costs of such action (including attorney's fees) shall be borne by the University, which shall control the action. All net proceeds of such action in excess of such costs shall be shared by the University and the University Author(s) in accord with the formula set forth in Section VIII-1(a).
2. If the University decides not to initiate legal action, the University Author(s) may do so, and the University shall assign to the University Author(s) such rights as are necessary for the limited purpose of pursuing redress for the unauthorized use or infringement. Costs of such action (including attorney's fees) shall be borne by the University Author(s) who shall have the right to all proceeds resulting from that action.

2. Liability

1. The University Author(s) of a University-owned work shall obtain appropriate written releases, granting all necessary rights to the University to allow the full exercise of its copyright in the work. These releases shall be kept by the unit producing the work until such time as the work is withdrawn from circulation.
2. Before any external use is made of a University-owned work, the University Author(s) shall certify in writing to the Office of the Provost that the work does not infringe any existing copyright or other legal right held by third parties.
3. In the event third parties assert claims against the University and/or University Author(s) arising out of or related to a University-owned work, the University shall assume responsibility for the defense and control of any legal action arising from such claims, in accordance with the University's Indemnification Policy.

Section XI -- Implementation

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

Footnotes:

¹ The quoted text may be found at <http://lcweb.loc.gov/copyright/circs/circ1.html>

² The use of personal computers for word-processing is not considered "substantial" for the purposes of this policy; access to such equipment is provided to members of the general public at various sites on the MSU campus. Other specific examples of equipment, materials, and service uses that are considered substantial or non-substantial by the Office of the Provost may be found in a supplemental handbook.

³ "Released time" is an adjustment to normal assigned duties that is made to facilitate the creation of the copyrighted work.

⁴ "Commissioned" as used herein means the creation of the work was requested, initiated, authorized, or assigned by the University. It does not imply or necessitate that any supplemental payment is made.

5 Questions regarding the identity of such a unit may be referred to the Office of the Provost for resolution.

Procedures Concerning Allegations of Misconduct in Research and Creative Activities

Last updated: 6/19/2009

VI. RESEARCH AND CREATIVE ENDEAVOR (*Cont.*)

These Procedures were approved by the Board of Trustees on April 11, 1997 and revised June 28, 2002 and June 19, 2009.

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Retirement Programs

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

Participation in the 403(b) Base Retirement Program generally is initially voluntary with enrollment mandatory at age 35 and 24 full-time equivalent (FTE) service months (please see the [Base Retirement Program Eligibility](#) for more detail). Participation in the 403(b) Supplemental Retirement Program and/or the 457 (b) Deferred Compensation Plan is optional at any time. More information is available online from the Human Resources [Retirement](#) webpages.

NOTE: All benefits are shown in abbreviated form. The information contained in this Faculty/Academic Staff Benefit and Retirement Programs summary is not a contract. It is intended to describe plan features in general terms and is not a full description of coverages. MSU reserves the right to modify, suspend, or terminate such coverages in whole or in part at any time, except as limited by the terms and conditions of master contracts. Complete information and descriptive details on all benefits may be obtained from Human Resources online at hr.msu.edu or by calling (517) 353-4434, or (800) 353-4434.

Full-Time Equivalent (FTE) Service Months

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

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

Faculty/academic staff hired prior to July 1, 2010 and meeting the minimum retirement requirements* will remain eligible to maintain health, prescription drug and dental coverage and receive the employer's contribution based on the following. Please see the [Retiree Benefits Policy](#) for more detail.

If a faculty/academic staff member retires with 15 or more years of service and is at least age 62, the following FTE service month ranges will determine their health, prescription drug and dental University contribution level during retirement.

| 1/2 Contribution | 3/4 Contribution | Full Contribution |
|------------------|------------------|-------------------|
| 90.00-116.99 | 117.00-161.99 | 162.00-999.99 |

If a faculty/academic staff member retires with 25 or more years of service at any age, the following FTE service month ranges will determine their health, prescription drug and dental University contribution level during retirement.

| 1/2 Contribution | 3/4 Contribution | Full Contribution |
|------------------|------------------|-------------------|
| 150.00-194.99 | 195.00-269.99 | 270.00-999.99 |

*Minimum retirement requirements are 15 or more years of service and at least age 62 or 25 years of service at any age. Please see the [Retiring from the University Policy](#) for more detail.

Other Eligible Individuals

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

Other Eligible Individuals

Other Eligible Individuals of eligible faculty/academic staff who meet all the following criteria are eligible for benefits if:

- the OEI currently resides in the same residence as the employee and has done so for the last 18 continuous months, other than as a tenant;
- the OEI is not a "dependent" of the employee as defined by the IRS; and
- the OEI is not eligible to inherit from the employee under the laws of intestate succession in the State of Michigan.

Other Eligible Individuals' children are eligible for health and dental benefits if they:

- are qualified and claimed as an IRS-defined dependent by the domestic partner;
- are members of the employee's household or a full-time student; and
- are unmarried and under the age of 19 (up to the end of the calendar year they turn 23 for dental coverage if a full-time student, and up to the end of the calendar year they turn age 25 for health plan coverage if an IRS-defined dependent).

Eligibility to continue coverage for an OEI ceases at the end of the month in which the above criteria are not met.

The following individuals **do not** fall within the eligibility criteria for this program:

- Spouse
- Children and their descendents (i.e. children, grandchildren)
- Parents
- Parents' descendents (i.e. siblings, nieces, nephews)
- Grandparents and their descendents (i.e. aunts, uncles, cousins)
- Renters, boarders, tenants, etc.

Automatic Benefits

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

Participation in the following benefits⁽¹⁾ (when eligible) is automatic for full-time and part-time faculty /academic staff, except as noted. No enrollment applications are necessary:

- [Basic Employer Life](#)
- [Long-Term Disability \(full-time only\)](#)
- [Social Security](#)
- [Travel Accident](#)
- [Unemployment Compensation](#)
- [Workers' Compensation](#)

Basic Employer Life (Death Benefit)

Eligibility

The University provides a life benefit payable to beneficiaries of faculty/academic staff appointed 50 percent time or more for nine months or more. This benefit is effective immediately upon appointment.

Coverage

Eligible faculty/academic staff members are provided coverage equal to one year's base salary up to a maximum of \$50,000. Beneficiaries are those designated by the faculty/academic staff member or the same as designated in the Employee-Paid Life program. If no beneficiary has been designated, payment will be made to the survivor(s) in the first surviving class of those that follow: a) spouse; b) children; c) parents; or d) brothers and sisters. If none survives, payment would be made to the estate.

Cost

No enrollment application is necessary and the entire cost of this benefit is paid by the University.

Long-Term Disability

Eligibility

Coverage under the Long-Term Disability Plan is available for faculty/academic staff appointed full-time for nine months or more who have been employed for 12 FTE service months. Faculty appointed with tenure (or on the effective date of the award of tenure) or with the Facility for Rare Isotope Beams/National Superconducting Cyclotron Laboratory (FRIB/NSCL) continuing appointment status are immediately covered under this plan. Eligible faculty/academic staff may receive benefits provided by the Long-Term Disability Plan after 180 days of continuous disability.

Coverage

The benefits provide a disabled faculty/academic staff member (as defined by the master contract) with a monthly income equal to 60% of the basic monthly salary (minus any workers' compensation, social security or auto wage loss benefits, if applicable) up to the limits defined in the plan. In addition, the program assumes both the faculty/academic staff member's contribution and the University's contribution to the base retirement program for as long as the individual remains entitled to Long-Term Disability benefits. The plan provides an annual cost-of-living adjustment and a minimum benefit of \$50.00 per month.

Cost

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

Other Benefit Information

If the faculty/academic staff member is unable to work due to total disability and is eligible for benefits under the Long-Term Disability Plan, a University premium contribution will be continued for the health, dental and employee-paid life programs for the faculty/academic staff member during the period of disability benefit payments.

More details are available in the [Long-Term Disability Plan Policy](#).

Social Security

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

Travel Accident

The University provides immediate Travel Accident coverage while traveling on approved University business or activity. This plan provides accidental death and dismemberment coverage up to \$50,000, and is automatic for all faculty/academic staff. No enrollment application is necessary and the cost is paid by the University.

Unemployment Compensation

Most faculty/academic staff members of Michigan State University will be in covered employment and therefore subject to the provisions of the Unemployment Compensation Act. Full information is available from Human Resources at (517) 353-4434.

Workers' Compensation

The University, in accordance with the State of Michigan Disability Compensation Act, provides "Workers' Compensation benefits" if a faculty/academic staff member is injured in the course of employment. These benefits are payable at a rate of approximately 80% of the after-tax value of the faculty/academic staff member's average weekly wage, subject to a state-determined maximum rate.

Any injury arising out of and in the course of employment must be reported to the administrative head and Workers' Compensation. All necessary medical services for a compensable injury will be delivered by a medical provider designated by the University. Full information is available from Human Resources at (517) 353-4434.

Footnote:

¹For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three-quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100.0 percent time.

Optional Benefits

Revised 5/2018

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

Participation in the following benefits is optional for faculty/academic staff appointed 50 percent time or more for nine months or more. Coverage begins if enrollment takes place within 30 days of initial appointment to an eligible status, during an Open Enrollment, or, in the case of Employee-Paid Life, by furnishing evidence of insurability during Open Enrollment period. Failure to enroll during the initial 30-day eligibility period will result in the faculty/academic staff member having to wait until the next annual open enrollment period.

- [Health Plan Coverage](#)
- [Dental](#)
- [Flexible Spending Accounts](#)
- [Basic Employer-Paid Life](#)
- [Accidental Death & Dismemberment](#)
- [Employee-Paid Life](#)
- [Waiver of Health Plan Coverage](#)

Health Plan Coverage

Coverage is currently provided by Blue Cross Blue Shield of Michigan Community Blue PPO, or Blue Care Network (BCN), or Consumer Driven Health Plan (CDHP). Enrollment can be retroactive to the appointment date if a new employee enrolls within 30 days of the appointment.

Eligible spouses (or Other Eligible Individual) who are eligible to enroll for health plan coverage through other employment must enroll in that coverage if the annual premium cost to the spouse/Other Eligible Individual is \$1,200 or less. MSU's health plan coverage then becomes the secondary payer.

Coverage The health plans offered through the University provide coverage for preventive services, office visits, emergency medical care, diagnostic services, maternity care, hospital care, surgical care, and mental health and substance abuse treatment. Preventive services are covered at 100% without copay or coinsurance. All other services may be subject to copays and/or coinsurance. Blue Cross Blue Shield of Michigan Community Blue PPO, Blue Care Network (BCN) and the Consumer Driven Health Plan offer in- and out-of-network coverage. Out-of-network services require a higher out-of-pocket cost.

Prescription Drugs The prescription drug plan is a co-pay plan for generic and brand drugs and is administered through CVS Caremark. Employees may choose to purchase their prescriptions at a participating retail pharmacy, at an MSU pharmacy (Olin Health Center or the MSU Clinical Center pharmacies) or through CVS Caremark's mail order program. ([Copays](#))

Cost MSU provides a monthly University contribution toward the premium for health plan coverage for eligible faculty/academic staff. If an additional premium is required, it will be deducted from the faculty/academic staff's paycheck.

For more information on health care plans, see [Health Care](#) on the HR website.

Dental Plan

This benefit can be retroactive to the appointment date if a new employee enrolls within 30 days of the appointment. Coverage is available to official retirees and their eligible dependents or survivors.

Coverage Dental plan coverage is available through Delta Dental, a traditional dental plan or Aetna, a dental maintenance organization (DMO).

The Delta Dental Plan covers fifty percent of the usual, customary, and reasonable cost of preventive, diagnostic, restorative, prosthodontics and orthodontic services. The plan provides an individual maximum of \$600 per calendar year for covered charges. Orthodontic coverage is limited to those under 19 years of age and is subject to an individual lifetime maximum of \$600.

Aetna DMO utilizes primary care dentists to lower the cost - it is a managed-care dental plan. Members select a primary care dentist (PCD) from the provider network and visit their PCD as needed for treatment and care. Highlights of the plan include:

* Fixed co-pays for services * No annual or lifetime benefit maximums * No annual or lifetime deductibles * Orthodontia is available for adults and children

Cost Premiums are fully paid by the University for full-time faculty/academic staff for the Delta Dental Plan. There will be a premium deduction for the Aetna DMO plan. There may be premium deduction for part-time employees depending on the percent of employment and the number of persons being covered. For more information on dental plans, please see [Dental Coverage](#) on the HR website.

Flexible Spending Accounts (FSA)

Flexible Spending Accounts enable you to save money by paying for some expenses in pre-tax dollars.

Dependent Care Flexible Spending Accounts (Dependent Care FSA)

The Dependent Care Flexible Spending Account (Dependent Care FSA) is a benefit to help you meet your dependent care expenses, such as; child care, elder care or disabled dependent care. It enables you to save money, on a calendar year basis, by paying for dependent care expenses in pre-tax dollars.

Health Flexible Spending Accounts (Health FSA)

The Health Flexible Spending Account (Health FSA) program is a cost effective way to pay for medical and dental plan deductibles/copayments, eyeglasses, contact lenses, orthodontics and other health-related expenses that are not covered by insurance. It enables you to save money, on a calendar year basis, by paying for health related expenses in pre-tax dollars.

For plan changes and vendor information, as well as annual maximum reimbursement amounts for both the Dependent Care FSA and Health FSA, please refer to [Flexible Spending Accounts](#) on the HR website.

Basic Employer-Paid Life

Coverage

The Basic Employer-Paid Life Insurance program provides coverage equal to one year's base annual earnings up to a maximum of \$50,000. No application is necessary. Coverage is automatic and effective immediately the first active work day. Beneficiaries are those designated by the employee and may be changed at any time.

Cost

The University pays the entire cost of the benefit.

For more information on Employer-Paid Life, see [Life/Accident Insurance](#) on the HR website.

Accidental Death & Dismemberment (AD&D)

Coverage is provided if death or dismemberment results from accidental cause.

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

Cost Cost of the various coverages offered is described in the brochure available in Human Resources. For more information on AD&D see [Policies and Procedures](#).

Employee-Paid Life

A faculty/academic staff member may select employee paid life within 30 days of initial appointment to an eligible status or by furnishing evidence of insurability during Open Enrollment.

Coverage

The coverage is decreasing term insurance with no cash or loan value. Coverage may be selected in varying amounts up to a \$2,000,000 maximum depending on age and plan selected, as shown in the brochure.

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

Benefits are payable to the designated beneficiary in the event of death while the plan is in force. Beneficiaries are designated by the faculty/academic staff member and may be changed at any time.

Cost

Costs vary according to the plan selected; rates are subject to future group experience.

For more information on Employee-Paid Life, see [Life/Accident Insurance](#) on the HR website.

Waiver of Health Plan Coverage

A faculty/academic staff member appointed 50% time or more for nine months or more, who is covered by another group health plan is eligible to waive their MSU health care coverage and receive up to a \$600 cash payment. The normal waiver period is January 1 to December 31, with payment to be received the following February. A completed form is not required each year during open enrollment in order to continue participation in the waiver.

The cash payment is considered taxable income.

If other coverage is discontinued, the faculty/academic staff member has 30 days to enroll in an MSU health care plan with the waiver payment prorated.

Individuals newly hired, terminated, going on unpaid leave of absence, or retiring will also receive a prorated payment.

Individuals accrue points based on their employment percent and the number of months they are enrolled in the waiver: 1 point for each month in waiver if full-time; .75 for 3/4-time or .5 if half-time. See chart below.

| Points accrued | Waiver payments |
|------------------------|------------------------|
| Full 12 points | \$600 |
| 9 through 11.75 points | \$450 |
| 6 through 8.75 points | \$300 |

3 through 5.75 points \$150

Less than 3 points \$0

Footnote:

¹For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three-quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100.0 percent time.

Flexible Spending Accounts

Revised 5/12/2020

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS

Flexible Spending Accounts enable you to save money by paying for some expenses in pre-tax dollars. Here you'll find everything you need to make informed choices about your Flexible Spending Account Enrollment.

Dependent Care Flexible Spending Accounts (Dependent Care FSA)

The Dependent Care Flexible Spending Account (Dependent Care FSA) is a benefit to help you meet your dependent care expenses, such as; child care, elder care or disabled dependent care. It enables you to save money, on a calendar year basis, by paying for dependent care expenses in pre-tax dollars.

The annual maximum reimbursement for Dependent Care FSA is \$5000 per family.

Health Flexible Spending Accounts (Health FSA)

The Health Flexible Spending Account (Health FSA) program is a cost-effective way to pay for medical and dental plan deductibles/copayments, eyeglasses, contact lenses, orthodontics and other health-related expenses that are not covered by insurance. It enables you to save money, on a calendar year basis, by paying for health-related expenses in pre-tax dollars.

The annual maximum reimbursement for Health FSA is \$2,700 per eligible employee and \$5,400 per household when both the employee and the spouse are MSU employees.

The [HealthEquity/WageWorks Healthcare Card](#) lets you electronically access your account funds.

HealthEquity/WageWorks allows participants to use their Health FSA debit card with remaining previous year funds until March 15.

FSA Vendor Information

MSU's flexible spending account (FSA) plan administrator, WageWorks, was recently acquired by HealthEquity. This means you will begin to see co-branding between WageWorks and HealthEquity as these companies join. No action is required from FSA participants during this transition and you can continue to use your FSA without disruption.

HealthEquity/WageWorks offers customer support as well as easy-to-use online tools to help you make the most of your FSA. Participants can use the [HealthEquity/WageWorks](#) website to access interactive claims, online calculators and view account balances and reimbursement histories.

FSA Important Dates

Flexible Spending Accounts can offer some great tax advantages, but it's important that you are familiar with the program deadlines.

If you have not used all of your funds and submitted your receipts by the required deadlines, IRS code requires that remaining funds be forfeited. It is very important to remember that the deadlines for using funds are different for Dependent Care FSAs and Health FSAs.

Important deadlines to know for 2020 plan year include:

â€¢ The deadline to use your Dependent Care FSA funds: March 15, 2021

â€¢ The deadline to submit receipts for your Dependent Care FSA: April 30, 2021

â€¢ The deadline to use your Health FSA funds: March 15, 2021

â€¢ The deadline to submit receipts for your Health FSA: April 30, 2021

FSA Forms and Worksheets

To access Health and Dependent Care FSA reimbursement forms, visit the [HealthEquity/WageWorks](#) website. You can access your account by entering your username and password. If you have not yet registered, you can follow the link to set up your on-line account.

The following are worksheets that will assist you in determining the amount to deposit in your account when you initially enroll:

[Dependent Care FSA Worksheet - to help determine amount to deposit](#)

[Health FSA Worksheet - to help determine amount to deposit](#)

The Heroes Earnings Assistance and Relief (HEART) Act

If you are a member of a reserve component of the U.S. military and are ordered or called to active duty for a period of 180 days or more or for an indefinite period, you may withdraw, on a taxable basis, up to the unspent balance of your contributions made to your healthcare flexible spending account. A Qualified Reservist Distribution (QRD) payment can be requested. To request a Qualified Reservist Distribution payment use the [HEART Reimbursement Act Form](#).

Revision History:

5/12/20: Updated new vendor information

2/12/20: Updated maximum reimbursement rate for Health FSA, and FSA important dates for 2020

Benefits for Postdoctoral Fellows

Last updated: 9/1/1983

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (Cont.)

OPTIONAL BENEFITS (Cont.)

This policy was issued by the Office of the Provost and the Office of the Vice President for Research and Graduate Studies with an effective date of September 1, 1983.

Upon official appointment, postdoctoral fellows will be issued an appropriate identification card that will qualify them for such benefits as library privileges, staff parking, and staff rates at University cultural and athletic events.

Postdoctoral fellows who are not otherwise covered on another policy (e.g., as a spouse or a dependent) are required to have individual health plan coverage. Postdoctoral fellows are not eligible for University contribution toward benefits but will, if appointed for at least nine months, qualify for one of the University's health plans under the provisions stipulated below.

The following health plans are available to postdoctoral fellows: Blue Cross Blue Shield of Michigan Community Blue PPO or Blue Care Network (BCN-HMO). Information about these plan options can be obtained from MSU Human Resources. Funds for a postdoctoral fellow's individual health plan premiums can be provided as follows:

Institutional Grants: Health plan coverage contributions are to come from the grant budget, normally an allowance, for grants provided by Michigan State University as well as by external agencies. The department should request funds from the external granting agency for this purpose. If using funds for health plan coverage is contrary to the granting agency's policy, then contributions for such coverage will come from the department or from funds that may be made available in the Office of the Vice President for Research and Graduate Studies. In the latter case, approval must be obtained from that office prior to accepting the individual for postdoctoral study.

Individual Grants: If a cost-of-education allowance to the University accompanies the grant, the contributions will come from the portion of that allowance allocated to the department or college. That allocation will be increased, if necessary, to cover such contributions. If a cost-of-education allowance is not provided from the granting agency, contributions will come from the department or from funds that may be made available in the Office of the Vice President for Research and Graduate Studies.

In the latter case, approval must be obtained from that office prior to accepting the individual for postdoctoral study.

Family health plan coverage is not an appropriate charge on postdoctoral grants; however, a postdoctoral fellow may elect personally to pay the differential between individual and family options. Exceptions are permitted in cases where a sponsor allows costs associated with family health coverage as part of the postdoctoral award. In such an instance, the allowable family health coverage costs must be included in the award for the postdoctoral fellows who have families and who are eligible for family health coverage at Michigan State University.

Arrangements should be made with MSU Human Resources for payment of health plan premiums either by individual payment or by arrangements to charge these costs to an appropriate account.

Health Care Plan Benefits for Visiting Faculty/Scholars

Revised 5/2018

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (Cont.)

OPTIONAL BENEFITS (Cont.)¹

Visiting faculty/scholars may be eligible to enroll for individual health plan coverage with Blue Cross Blue Shield of Michigan or Blue Care Network (BCN-HMO). In addition, visiting scholars are also eligible to enroll for health plan coverage with the Blue Care Network student health plan. These health plan options may be available in recognition of the fact that many visiting faculty/scholars are enrolled in national or other private institutional health programs in the U.S.A. or abroad, which do not provide them coverage when appointed at MSU. Individuals eligible for this program are visiting faculty/scholars: 1) who are appointed without pay or with pay on appointments of less than 50% time and/or for less than nine months, who will return to their home university, agency, firm or other institution after a limited appointment period at Michigan State University; and 2) who are currently enrolled in a health plan which is not available to them while appointed at Michigan State University.

Information relating to the Blue Cross Blue Shield of Michigan or Blue Care Network health plan options available to visiting faculty/scholars may be found at <https://hr.msu.edu/benefits/students/>.

Visiting faculty/scholars with an appointment of 50% or greater for 9 months or more may be eligible for regular employee health benefits. Information on the Community Blue (PPO), Blue Care Network (BCN) and Consumer Driven Health Plan (CDHP) can be found at <https://www.hr.msu.edu/benefits/healthcare/index.html>.

Footnote:

¹For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three-quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100.0 percent time.

Voluntary Benefits

Revised 6/30/2021

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

Voluntary benefits include vision, pre-paid legal, pet insurance, critical illness, home-auto insurance. These programs may have open enrollment periods that limit when you can enroll for coverage. For information, see [MSU Benefits Plus](#) .

Retirement Plans

Change to Employer Match Contribution 7/2020

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (*Cont.*)

All faculty/academic staff members appointed in a benefits eligible position at 50 percent time or more for a period of nine months or more are eligible to make contributions to the 403(b) Base Retirement Program as well as the 457(b) Deferred Compensation Plan. Most faculty/academic staff members, whether in a benefits eligible position or not, are eligible to make contributions to the 403(b) Supplemental Retirement Program. Please see the [403\(b\) Retirement Plan Policy](#) or [457\(b\) Deferred Compensation Plan Policy](#) for more detail.

- [403\(b\) Base Retirement Program](#)
- [403\(b\) Supplemental Retirement Program](#)
- [Other Retirement Information](#)
- [457\(b\) Deferred Compensation Plan](#)

403(b) BASE RETIREMENT PROGRAM

Eligibility

Participation in the 403(b) Base Retirement Program, with the University contribution, is initially voluntary and required for faculty/academic staff when certain service and age requirements are met. More information is available at [403\(b\) Base Retirement Program](#). The general rules follow:

Faculty appointed 50 percent time or more for nine months or more with the rank of assistant professor, associate professor, professor or senior research associate may elect immediate participation, with University contribution, or may defer participation until completing 24 FTE service months and attaining age 35, at which time participation is mandatory for faculty/academic staff.

A specialist with a probationary or continuing appointment of 50 percent time or more may elect immediate participation, with University contribution. A specialist who does not have a probationary or continuing appointment will become eligible for the University contribution 24 FTE service months from the date of initial appointment. Participation for all specialist appointments may be deferred until completing 24 FTE service months and attaining age 35.

Faculty/academic staff appointed 50 percent time or more for nine months or more as instructors, lecturers, or assistant instructors become eligible for the University contribution 24 FTE service months from the date of initial appointment to an eligible status. (See below for change in eligibility for research associates). Participation is required for instructors, lecturers and assistant instructors upon completion of 24 FTE service months and attainment of age 35. Instructor/residents and instructor/interns are never required to participate.

Effective October 1, 2006, faculty/academic staff appointed 50 percent time or more for nine months or more as a research associate become eligible for the University contribution 36 FTE service months from the date of initial appointment to an eligible status. Participation is required for research associates upon completion of 36 FTE service months and attainment of age 35.

Once required participation commences for faculty/academic staff appointed for nine months or more, the faculty/academic staff member must continue contributing to the 403(b) Base Retirement Program while employed at the University.

Faculty/academic staff members appointed 50 percent time or more for nine months or more previously enrolled in a contributory retirement program before appointment at MSU or are age 55 or older upon

appointment, may elect immediate participation regardless of rank, with the University contribution.

Faculty/academic staff may complete the enrollment process in the 403(b) Base Retirement Program online through the EBS Portal.

Coverage

The 403(b) Base Retirement Program provides retirement income based upon the total amount accumulated from the employee's contribution, the University's contribution, and any earnings on those amounts over the period of the working years.

A faculty/academic staff member may commence to draw his/her accumulation under a variety of payment options after leaving the University; however, to be considered a retiree from the University, faculty/academic staff must meet the minimum University retirement requirements.

The 403(b) Base Retirement Program is fully vested indicating that both the faculty/academic staff member's and the University's contributions are placed directly in the faculty/academic staff member's account each month. In the event the faculty/academic staff member leaves the University, ownership of the total accumulation is retained by the faculty/academic staff member. The faculty/academic staff member may elect to receive an immediate retirement income or may defer the receipt of his/her retirement income until a later date.

Cost

The 403(b) Base Retirement Program is financed by a reduction of 5% from the faculty/academic staff member's eligible compensation and, effective July 1, 2020:

- a University matching contribution of 10% of eligible compensation for unionized* faculty/academic staff members;
- a University matching contribution of 10% of eligible compensation for research associates and senior research associates; and
- a University matching contribution of 5% of eligible compensation for all other faculty/academic staff members.

For these purposes, "unionized" means the terms of employment of the faculty/academic staff member are covered by a collective bargaining agreement. For those faculty and academic staff members with hybrid UNTF / non-UNTF appointments, the 10% University matching contribution applies to the UNTF portion of their appointment, and the 5% matching contribution applies to the non-UNTF portion of their appointment.

403(b) SUPPLEMENTAL RETIREMENT PROGRAM AND 457(B) DEFERRED COMPENSATION PLAN

Faculty/academic staff members appointed at 50% time or more for a period of at least nine (9) months may make additional tax-deferred contributions to the 457(b) Deferred Compensation Plan subject to IRS limitations. More detail is available at [457\(b\) Deferred Compensation Plan](#).

Most faculty/academic staff members are eligible to make additional tax-deferred contributions to the 403(b) Supplemental Retirement Program subject to IRS limitations. More detail is available at [403\(b\) Supplemental Retirement Program](#).

Participation in the 403(b) Supplemental Retirement Program and/or 457 (b) Deferred Compensation Plan is never required, and no matching contribution is made by MSU.

OTHER RETIREMENT INFORMATION

1. To be considered a retiree from Michigan State University (see the [Retiring from the University Policy](#) for more detail), a faculty/academic staff member must meet one of the following minimum University retirement requirements:
 - Be at least 62 years of age and have completed 15 years of service; or
 - Have completed 25 years of service at any age.
2. Access to retiree health coverage (see the [Retiree Benefits Policy](#) for more detail) is based on the faculty/academic staff member's Retirement Calculation Date, which is often the employment date but may be later:

Faculty and academic staff with a Retirement Calculation Date prior to July 1, 2005 and meeting the minimum University retirement requirements will remain eligible to maintain health and dental coverage and receive a University contribution toward the premiums based on the number of full-time equivalent (FTE) service months at retirement.

For faculty and academic staff with a Retirement Calculation Date on or after July 1, 2005 and before July 1, 2010, the University will contribute to the lowest cost health plan's single rate for which the employee/retiree is eligible. (The contribution is based on the full-time equivalent (FTE) service months at the time of retirement). At retirement, the employee must designate whether the employee receives the University contribution or whether the contribution is to be split 50/50 between the employee and his/her spouse or other eligible individual. This designation is irrevocable regardless of circumstance, including returning to work or death. The designation of the 50/50 contribution is also non-transferable to future spouses or other eligible individuals.

Faculty and academic staff with a Retirement Calculation Date on or after July 1, 2010 are not eligible for a University contribution to health care benefits. Retiree health coverage is available through the university at cost.

Retirees (their spouse or Other Eligible Individual) age 65 and over are required to enroll for Medicare Parts A & B at which time MSU's health plan coverage is adjusted to a Medicare supplement policy. Medicare Part B requires a monthly premium that is not reimbursed by MSU. Individuals may contact their local Social Security office for information on the monthly premium cost for Medicare Part B.

3. Faculty/academic staff meeting the minimum University retirement requirements may continue participation in the employee-paid life program after retirement until age 70.
4. Faculty/academic staff meeting the minimum University retirement requirements and who are appointed less than 90% time may be eligible to continue receiving the full University contribution toward the health and dental plans based on their FTE service months; Basic Employer Life, and may continue participation in the Course Fee Courtesy program. If you are vested for retirement, please contact MSU Human Resources (517)353-4434.
5. Faculty/academic staff members participating in the employee-paid life plan at the time of retirement and who were enrolled prior to July 1, 1976 will receive a \$2,000 life benefit fully paid by the University.

Footnote:

¹ For benefit purposes only, half-time is defined as 50.0-64.9 percent time; three-quarter time is defined as 65.0-89.9 percent time; full-time is 90.0-100.0 percent time.

Leave of Absence with Pay

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (Cont.)

Leave of Absence With Pay

If the faculty/academic staff member's pay is being continued (e.g., if the leave is a medical leave), the normal premiums will continue to be deducted and the University will make its normal contribution toward the cost of the health, dental, and retirement programs. Benefits are continued in full for faculty members on sabbatical leave.

Termination

Revised 5/2018

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (Cont.)

In case of termination, benefits will be affected as follows:

- Health, dental, basic and employee-paid life, and accidental death and dismemberment coverages will continue in force until the end of the month of termination of employment.
- Long-term disability and travel accident coverages cease on the last day of active employment.
- Coverage under the health and/or dental plans may be continued in accordance with the [Consolidated Omnibus Reconciliation Act \(COBRA\)](#) of 1986, for up to 18 months (29 months if currently disabled and receiving Social Security Disability (SSD) or deemed disabled by SSD any time during the first 60 days of COBRA coverage) by paying a monthly premium. Flexible Spending Accounts may be continued through COBRA as well. Contact MSU Human Resources for details.
- Employee-paid life coverage may be converted by contacting the company directly within 31 days from date of termination.

Death

Revised 5/2018

VII. FACULTY AND ACADEMIC STAFF BENEFIT AND RETIREMENT PROGRAMS (Cont.)

In addition to life benefit payments to beneficiaries, it may be possible for the surviving spouse or Other Eligible Individual and eligible dependents to continue health and/or dental coverages by contacting MSU Human Resources. The University may contribute toward the health and dental premiums for the surviving spouse or Other Eligible Individual if the faculty/academic staff member was eligible for retirement.* The surviving spouse or Other Eligible Individual of a vested employee who is also an active employee in their own right may be eligible for dual benefits as follows:

- Eligible for 100% dental coverage.
- Eligible to retain deceased person's health plan benefits instead of the health plan for which they are eligible as an active employee.

*Refer to the [Surviving Spouse Policy](#).