

**Non-Tenure Track Faculty Committee**  
Annual Report  
AY1617

**Charge**

To assess and make recommendations to the Provost and the Faculty Council regarding new and revised policies and practices affecting ranked NTT faculty holding a professorial title.

**AY2016-2017 Members**

<i>College/Division</i>	<i>Name</i>	<i>Title</i>
CAFNR	Robert Schnabel,	Assoc. Research Professor
A&S	Nicole Monnier (co-chair)	Teaching Professor
Education	Leigh Neier	Assoc. Teaching Professor
Engineering	Robert Druce	Asst. Research Professor
School of Health Professions	Kathy Moss	Assoc. Clinical Professor
HES	Leigh Tenkku Lepper (co-chair)	Assoc. Research Professor
School of Journalism	Katherine Reed	Assoc. Prof. Practice Professor
School of Law	Anne Alexander	Assoc. Teaching Professor
School of Medicine	Michael Gardner	Assoc. Clinical Professor
School of Nursing	Jan Sherman	Teaching Professor
Vet. Medicine	Jill Luther	Asst. Teaching Professor
School of Business	Kristen Hockman	Assoc. Teaching Professor
Truman School	Angela Hull	Asst. Teaching Professor
Extension	John Lory	Assoc. Teaching Professor
FC NTT Representative	Christi Bergin	Research Professor
Provost Office Designee	Anna Ball	Faculty Fellow

**2016-2017 Committee Agenda: Issues, Action, and Recommendations/Next steps**

*1. Proposal for a campus-wide policy on NTT contract lengths*

Issue: The irregularity of NTT contract lengths across and within MU divisions was one of the main concerns to emerge from the environmental scan of NTT faculty issues conducted by our committee in its inaugural year (AY1516).

Action: Our committee created a proposal that would provide: 1) base-line consistency in contracts across campus as determined by years of service and rank; and 2) minimal employment protections for longstanding NTT faculty in the face of contract nonrenewal.

The proposal has been approved by the Faculty Council Faculty Affairs subcommittee and will go for a full Faculty Council vote at its June meeting.

Recommendation: We believe that Faculty Council will endorse the proposal, which would further empower the Provost's Office to implement its recommendations. *See Appendix I for full proposal.*

*2. Revision of CRR language to include ranked NTT faculty in emeritus process*

Issue: While the CRRs *do* allow for ranked NTT faculty to apply for emeritus/emerita status, as currently written that application must be made under the "exception" clause rather than through the regular process.

Action: We have proposed a minor change to the wording that would incorporate qualifying ranked NTT faculty into the regular process. *See Appendix II for full proposal.*

Next steps: Because this change might be considered a minor one, on recommendation of UM Office of Academic Affairs, we have decided to hold off on submission of the proposed change until we know that the CRRs will be “opened up” for other revisions requiring Board of Curator approval. Minor though such a revision may be, it is a positive step towards greater inclusion of ranked NTT faculty in the general faculty provisions and policies in our CRRs.

### 3. *Increase of NTT representation on Faculty Council*

Issue: At present, Faculty Council has 30 members representing about 1000 T/TT faculty, while 863 NTT faculty are represented by four members: one each for NTT-Teaching, NTT-Research, NTT-Clinical/Professional Practice, and NTT-Extension. Each of these seats represent radically different population numbers, from 27 in the “Extension” category to 475 in the combined “Clinical/Professional Practice” one. These numbers make clear that ranked NTT faculty are underrepresented, both in terms of overall numbers and by most categories.

Action: Because any change to Faculty Council representation will involve revision of Faculty Council rules, it must be done by Faculty Council itself and (as we understand it) ultimately approved by campus vote. Two of our committee representatives, Anne Alexander and Christi Bergin, have been working this year with the FC Faculty Affairs committee to propose different models for consideration by the full council. Faculty Affairs has come up with two possible plans: 1) to integrate NTT faculty fully into current divisional representation (i.e., NTT/T/TT would all be eligible for divisional seats, as well as able to vote for them); and 2) to expand (but still cap) the number of NTT-specific representatives within the existing categories; this includes also separating out NTT-Professional Practice and NTT-Clinical representation.

Next steps: FC Faculty Affairs will be bringing these proposals to full Council for discussion and action in AY1718.

### 4. *Review and expand NTT-related resources (e.g., promotions, contracts, HR resources, etc.)*

Issue: While there are a number of items that fall under this category (including contract lengths – see above), the major issue of this spring semester has been the lack of policies and procedures for NTT separations/layoffs. Unlike staff or T/TT faculty, there are no concrete policies that recognize issues of compensation, transition assistance, or other benefits for NTT faculty whose positions are lost due to budget constraints.

Action: In response to the projected loss of NTT positions as part of the significant budget reductions forecasted for FY18 (and FY19), our committee met with Jatha Sadowski, MU Director of Human Resources, together with Mitch McKinney and Anna Ball of the Provost’s Office to ascertain current policies regarding nonrenewal of ranked NTT faculty, as well as discuss specific issues around the paucity of such policies. We then drafted a proposal to address the lack of any severance or separation provisions for ranked NTTs. This proposal then received the full endorsement of MU Faculty Council, the Graduate Professional Council, the Coalition of Graduate Workers, the local chapter of the AAUP, and the IFC. Members of our committee also met with UM System Vice President of Human Resources Jill Pollock.

Next steps/recommendation: Per our most recent email communication on 30 May, Pollock has a September deadline for recommendations on this issue, despite the fact that we strongly urged such a policy be implemented *before* impending NTT “separations” We note that her recommendations will come after many ranked NTT will have already received their nonrenewal notices for the upcoming academic year; thus we urge very strongly that such recommendations contain a grandfather clause to include those faculty who have lost their jobs because of current budget reductions. *See Appendix III for full proposal with endorsements.*

### **Additional item: Variable recognition of NTT faculty rights across divisions and within departments**

Issue: Members of the committee have brought to our attention variations in the observance of NTT faculty rights across and even within MU divisions; specifically, some campus units have rules that effectively limit the

scope of rights granted to NTT faculty at the campus level by the UMC Collected Rules and Regulations. It is our collective opinion as a committee that such divisional limitation of campus-level rights is in violation of the CRRs.

Action: In response to one such instance brought to the attention of both a member of our committee and the Faculty Council Executive Committee, the latter issued a “Memorandum Concerning Voting Rights of NTT Faculty”. This memorandum supports a reading of the CRRs that such lower-level limitations on NTT rights certainly violate the spirit, and possibly the letter of the CRRs.

Next steps/recommendation: We have asked that FC Executive Committee bring its memo to the larger Faculty Council for approval, either at its last meeting of the AY1617 session or at the beginning of the AY1718 one. It is our understanding that the provost is willing to support this interpretation of the CRRs; endorsement by the full Faculty Council would further empower the Provost’s Office to do so. *See Appendix III for Faculty Council Executive Committee memorandum.*

### **Proposed agenda items for 2017-2018**

#### *Continuing items*

1. Increase NTT faculty representation on Faculty Council
2. Move proposed revision of CRR language for emeritus/emerita status through Faculty Council for approval, then to Provost’s Office and UM System review, and ultimately, for vote by UM Board of Curators;
3. Follow up on any necessary further actions on AY1617 reports (contract length; provisions and policies for NTT “separations”; uniformity in observance of NTT faculty rights on divisional and departmental levels).  
*This includes tracking the number of ranked NTT faculty whose positions are lost through budgetary reductions and reallocations in FY18 and FY19.*

#### *New items*

1. *Creation of formal procedures for the election of NTT representatives to Faculty Council*
  - There currently exist no formal procedures for the election of the NTT representatives to Faculty Council. Since the creation of our committee in AY1516, we have handled those elections on an ad hoc basis. (Note: if successful, the proposal to increase NTT representation on Faculty Council will affect those procedures.)
2. *NTT COACHE survey data analysis*
  - Now that the COACHE 2016 data has been released, we can review the NTT-related material and provide feedback and recommendations.
3. *NTT faculty gender/diversity analysis*
  - This is a follow-up and expansion of our initial environmental scan of AY1516 to see 1) whether there are gender discrepancies in NTT salaries, especially in certain schools (e.g. Journalism); and 2) to have a better picture of the number of underrepresented faculty among our NTT as well as their retention rates and roles within programs.
4. *NTT in School of Medicine: an environmental scan*
  - School of Medicine has the single largest population of NTTs of any division; by the Nov. 2016 count, there are 424 ranked NTT in SoM, representing nearly half of the total number of ranked NTTs (877). Yet this group is often viewed separately from the “regular” ranked NTTs population for a variety of reasons, from their salary sources to their role in the academic program at the medical school and elsewhere. We propose to do an environmental scan of the ranked NTT medical school population so that our committee and the larger campus might better understand both their roles and their concerns. *In light of the announcement at the June 2<sup>nd</sup> UM System budget meeting of plans to increase the number of ranked NTT faculty in SOM, this environmental scan is particularly urgent.*

**Appendix I**  
**NTT Contracts: A Proposal**

The Chancellor's Campus Standing Committee on Non-Tenure Track Faculty would like to propose the following:

To provide greater stability and recognition for ranked NTT faculty, as well as provide better guidance for appropriate contract length and renewals across diverse campus units, we ask the Provost's Office to consider a campus-level policy on contract length for NTT faculty that offers increasing contract lengths based on the formula below.

Note that we suggest this as a *baseline* policy; it would require units to meet *minimum* standards for contract lengths based on length of time at the university and/or rank. That is, it would *not* preclude granting *longer* contracts as warranted by current unit practices, program needs, faculty performance, and/or recruitment and retention enticements.

Proposed schedule for NTT contract lengths

- A probationary period of *no more than* three one-year contracts;
- *No less* than two-year rolling contracts for all ranked NTT faculty at the assistant and associate levels who have worked at the university for three or more years;
- *No less* than three-year rolling contracts for all ranked NTT faculty promoted to full professor, as well as for those ranked NTT faculty who qualify as "the highest qualified, highest performing" (see CRR language below).
  - *For faculty supported primarily by year-to-year external grant funding, the requirement for three-year rolling contracts can be modified subject to review by the unit dean and/or the Provost.*

**Rationale**

A. The CRRs and ranked NTT contract length

The UM Collected Rules and Regulations provide the following framework for ranked NTT contract length:

**310.035 H. Contract Length**

NTT faculty appointments shall begin at a specified date and terminate at a specified date. Such appointments are usually for a period of one academic year but may be for a longer or shorter period, except no single term appointment shall be for a period longer than three years. Such three-year appointments should be reserved for the highest qualified, highest performing NTT faculty members.

While the CRR sets an expectation for a minimum contract length (one academic year) and allows for up to three-year contracts for ranked NTTs, it does not provide further guidance for variable contract length beyond the caveat that three-year contracts be reserved for "the highest qualified, highest performing NTT faculty members."

However, the ranked NTT system and the promotion process within it is predicated on an evaluation of NTT job performance over time, with full professorial rank as the clearest expression of merit for inclusion among the "highest qualified, highest performing NTT faculty members". Thus it would make sense to tie an increasing contract length to promotion within the professorial ranks.

But there is also the issue of years of service. As ranked NTT faculty are *not* required to go up for promotion, it is problematic to tie contract length solely to promotion and rank. Further, the MU NTT Committee has collected data that suggests that some units do not actively support the promotion of ranked NTT faculty. Many ranked NTT faculty have served at MU for extended periods; according to a 2016 NTT salary study by MU Institutional Research (which considered data through the November 2015 faculty census), the average service length of ranked NTT campus faculty is 10.9 years (11.8 years, when School of Medicine ranked NTT faculty are excluded). Such longevity suggests these faculty are important continuing members of their programs and departments; it also highlights their own institutional commitment and investment.

*B. Ranked NTT faculty stability and recognition*

According to the most recent faculty survey (November 2016), there are 877 ranked NTT faculty, which means that they account for 44% of the 2,010 total ranked faculty—a significant percentage of overall MU faculty.

Given these numbers, it is clear that the stability of NTT faculty directly impacts the stability of our programs and departments, where ranked NTTs often play critical roles across our teaching, research, extension, and clinical missions. In the Schools of Journalism, Health Professions, and Medicine, NTTs constitute the majority of total ranked faculty; in Nursing, half; and in Business and the College of Veterinary Medicine, 40%. It is also worth noting that NTT-Research faculty often exist on soft money *and* generate funding for their programs and divisions. Finally, ranked NTT contribute in significant numbers to service at all levels of the institution.

Yet despite this, the contract lengths of ranked NTTs across campus remain highly irregular, with variability even *within* colleges and divisions. A more consistent campus-wide policy for contract length would both provide a greater sense of stability for those faculty and the divisions who depend upon them; it would also go some way towards a more consistent recognition of the contributions made by ranked NTT faculty, especially in a challenging fiscal environment.

*C. Ranked NTT faculty and “contract non-renewal”: the need for rolling contracts*

The move to rolling contracts for faculty beyond the probationary period would give NTT faculty the same additional transition year of employment that is now provided to tenure-track faculty who are dismissed before obtaining tenure.

For unlike T/TT faculty—or—staff, currently ranked NTT faculty lack provisions for transition and/or compensation in the event their contracts are not renewed, regardless of the cause. TT faculty who are dismissed after their third-year review or after an unsuccessful tenure case typically receive an extra year, presumably in acknowledgement of the schedule for the academic job market. Many NTT faculty who learn of their dismissal in the spring semester will have missed the majority of the hiring season for their academic fields. Yet NTT faculty typically receive notice of their non-renewal in late February (or later, if on 12-month contracts; campus policy only requires notification of dismissal three months before the end of the current contract), which strongly disadvantages their potential transition to other jobs for the following academic year. And unlike staff who are laid off, NTTs who lose their jobs for reasons of budgetary consideration have minimal access (if any) to transitional assistance, either in the form of pay or other services.

--Approved unanimously by the MU Non-Tenure Track Committee on 10 April 2017

## Appendix II

### Emeritus/Emerita Designation: Proposed change to CRRs

*The language in yellow would be replaced by the text in the red.*

#### 320.090 Emeritus Designation

Bd. Min. 12-6-68, p. 34,190; Amended Bd. Min. 3-17-87; Amended 12-16-94; Amended 11-29-07; Amended 6-17-11; Amended 4-12-13; Amended 10-2-15.

- A. **Rule** -- The procedure for granting the title of "Professor Emeritus/Emerita" or "Associate Professor Emeritus/Emerita" shall originate with the retiring faculty member's department. The appropriate title shall be granted to any member of the faculty **on regular appointment** **[any member of the full-time faculty with a ranked professorial title]** in good standing at the time of his or her retirement, who
1. Holds the rank of professor or associate professor and has been a member of the faculty for at least fifteen years; or has held the rank of professor in the faculty for at least five years;
  2. Has indicated the desire to receive emeritus status; and
  3. Whose contributions to the department and the university are recognized as meritorious as determined by majority vote of the **tenured members of the department** **[members of the full-time departmental faculty at the rank of associate or full]**, such determination then being transmitted by letter to the chancellor;
  4. Administrators at the level of dean and above may be granted an emeritus title commensurate with their former positions (e.g., dean emeritus, provost emeritus). To be eligible, administrators must have held the rank of professor or associate professor at the university for at least five years, have indicated a desire to receive the emeritus title, and made contributions to the university perceived as meritorious. The chancellor shall have the authority to grant such designation for eligible campus administrators. The president shall have the authority to grant such designation for an eligible chancellor.
- B. **Exceptions**
1. A retiring member of the faculty who is not covered by the above rule who has been recommended by majority vote of the tenured members of the faculty of the department and

by the dean of the faculty member's school or college, or on campuses with no schools or colleges, by the provost may be awarded an emeritus designation by the chancellor when the faculty member

1. has retired in good standing;
  2. has indicated the desire to receive emeritus status; and
  3. his or her contributions to the department and the university are recognized as meritorious.
2. For purposes of this section, full-time members of the medical faculty may be considered to be on regular appointment and hence eligible under the above rules and exceptions for appointment to the emeritus designation.
- C. Members of the faculty who have received the title of emeritus shall continue as members (non-voting, except with regard to votes on promotion and tenure recommendations by qualified professors emeriti who are serving on a special promotion and tenure committee or committees related to procedures for review of faculty performance under circumstances described in section 320.035.A.1.c and section 320.035.A.1.d or section 310.015.B.1.d.(1).(a) and section 310.015.B.1.d.(1).(b) respectively of the Collected Rules and Regulations) of the campus faculty; and their names shall appear in the list of Officers of Instruction and Administration in the university catalog. Persons retiring from the university who do not receive the title of emeritus shall receive no title designation.

**Appendix III**  
**Resolution on Potential Layoffs of Ranked NTT Faculty**  
MU Non-Tenure Track Faculty Committee

The UM System “Systemwide Budget Guidance” email of April 3, 2017 warns of the potential for “separation of staff and faculty,” with the clarification that “this may include layoffs of staff and NTT faculty but does not include separation of T/TT faculty”.

However, ranked NTT faculty currently lack provisions for job loss for reason of budgetary concerns or program closure. That is, they receive neither the protections of tenured faculty, nor the compensatory provisions for untenured tenure-track faculty in such situations. Nor do they clearly qualify for the severance packages and HR support provided to staff.

Currently there are 864 ranked NTT faculty comprising 44% of all ranked faculty, with an average length of service of 10.9 years.<sup>1</sup> Yet this category of long-term University employee has little recourse for compensation or consideration in the face of “separation” or “layoff” as defined by the UM System memo.

For these reasons, the MU Non-Tenure Track Faculty Committee asks the MU Faculty Council to support the following:

- That academic units honor renewal processes as articulated in CRR 310.035 as it has been hitherto applied institutionally. That is to say, that current contracts (presumptive or formal) for ranked NTT faculty be honored for the coming academic year.
- That the campus/UM System formulate appropriate layoff/separation procedures for ranked NTT faculty with 3+ years of service before layoffs/separations begin.
- That campus/UM System formulate an appropriate policy for ranked NTT faculty affected by program closure.
- That ranked NTT faculty of 10+ years of service be included in any early retirement or voluntary “separation” programs offered to faculty or staff.
- That ranked NTT faculty be included in any additional benefits offered to T/TT faculty or staff as inducements or compensation for separations or layoffs (e.g., continued dependent tuition benefits; access to HR resources; severance pay; etc.).

Additionally, the Committee asks Faculty Council to support the following: (1) two- and three-year rolling contracts as a base for qualified ranked NTT faculty after an appropriate probationary period; and (2) revision of the CRR, particularly to assure that NTT faculty are included where appropriate.

These actions would recognize and support MU’s longstanding NTT population in this difficult period. We understand institutional challenges, fiscal and otherwise, require the serious reconsideration of our mission and priorities as articulated in President Choi’s email. Ranked NTT faculty have demonstrated a sustained investment in and commitment to this institution. Ideally, *all* cuts to faculty and staff will be done with fair consideration of merit, impact, and contribution, and not solely by ease of elimination. Further, it is in the interest of MU students and the University’s overall mission to treat *all* faculty in a way that will allow MU to recruit and retain the best possible faculty.

*–Passed unanimously by the MU Non-Tenure Track Faculty Committee, April 10, 2017*

*–Endorsed unanimously by the Executive Committee of the MU Chapter of the AAUP, April 13, 2017*

*–Endorsed unanimously by the MU Faculty Council on MU Policy, April 13, 2017*

*–Endorsed by the Coalition of Graduate Workers, April 26, 2017*

*–Endorsed by the Graduate Professional Council, May 2, 2017*

*–Endorsed unanimously by the Intercampus Faculty Council, May 12, 2017*

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<sup>1</sup> MU Institutional Research study based on data through the November 2015 faculty census.





Appendix IV

MEMORANDUM CONCERNING VOTING RIGHTS OF NTT FACULTY

DATE: May 2, 2017  
FROM: The MU Faculty Council Executive Committee  
TO: Whomever It May Concern

From time to time, Faculty Council receives requests for information about the voting rights of ranked Non-Tenure Track (NTT) faculty at the University of Missouri. In this brief memorandum, the Executive Committee hopes to answer the question in a convenient manner for faculty and administration. This memorandum states our opinion, based on reading the relevant University rules and discussing the matter in some depth with colleagues learned in University procedures.

Under the “Faculty Bylaws of the University of Missouri-Columbia,” which is the formal name for MU’s campuswide faculty bylaws and which appears in the UM Collected Rules and Regulations at Section 300.010, the membership of the MU faculty is defined as follows:

**“the president, chancellor, all persons with regular academic appointments, and all full-time, ranked non-tenure track (NTT) faculty with professorial designation.”**

*See* CRR 300.010.B. (Note that the term “regular academic appointments” refers to the academic appointments of tenured and tenure track faculty.)

On the issue of voting, that same section continues: “Campus-wide faculty votes on issues specific to tenure or tenured/tenure track (T/TT) faculty will be restricted to T/TT faculty.”

Later, the bylaws discuss the faculty’s authority, *see* CRR 300.010.C.3, and the section mentions primary/direct, shared, and advisory authority over a variety of matters. For example, the faculty have “primary and direct authority” over approval of courses of instruction and curricula, “shared authority” over determination of the academic calendar, and “advisory authority” over the budget and the use of facilities. The faculty authority discussed here covers matters at the campus, college, and unit levels. *See, e.g.*, CRR 300.010.C.3.c.3 (providing advisory authority for choice “of departmental, divisional, campus, and university-level administrators”).

Other than in its discussion of how Faculty Council members are elected—the bylaws provide that T/TT and NTT faculty elect Council representatives separately—the section on faculty authority does not further differentiate between the authority of T/TT and NTT faculty. Accordingly, the division presented in CRR 300.010.B for “campus-wide faculty votes,” in which NTT faculty have full voting rights on all but a small minority of topics, should apply for all levels of shared governance.

**In other words, ranked NTT faculty generally have the right to vote in the same manner as T/TT faculty on matters of university governance. This principle applies at the campus, college, and departmental level. Other than matters “specific to tenure or tenured/tenure track (T/TT) faculty,” such as standards for awarding tenure, ranked NTT faculty should not be excluded from faculty votes.**

Some examples to illustrate the principle:

If the faculty of a department is voting on whether to approve curricular changes, or to recommend a departmental chair candidate to the dean, or to approve departmental bylaws, or to confer student awards, all faculty—NTT and T/TT—should have equal voting rights.

If the faculty of a department is voting on whether to amend its tenure standards, or whether a specific tenure-track faculty member has met those standards, then NTT faculty members should not vote. This does not, however, preclude administrators and T/TT faculty from seeking feedback from NTT faculty about tenure standards; consideration of the NTT voice may lead to better decisions.

For certain matters, it may be less clear whether they are “issues specific to tenure or tenured/tenure track (T/TT) faculty.” We will not attempt here to tease out all the scenarios in which voting rights might be debatable. These will likely be a very small subset of the matters on which faculty will vote.

Also, perhaps this should go without saying, but we know the question has been raised: In order for NTT faculty to vote, they must be invited to faculty meetings. Unless faculty are discussing matters about which NTT faculty cannot vote—such as a tenure decision—faculty meetings at the unit, college, and campus level should be open to NTT faculty.

Although we recognize that reasonable persons might read the relevant CRR provisions differently, we believe that our interpretation accords with the spirit of the MU faculty

bylaws—which the faculty amended in 2013 with the purpose of promoting NTT rights. Further, in the CRR provision concerning NTT faculty throughout the UM System, section 310.035.M, the CRR contains a subsection titled “Participation in Faculty Governance.” That subsection reads:

**“NTT faculty members’ role in faculty governance shall be articulated by the individual campus within the limits of the University of Missouri Collected Rules and Regulations. The goal is to identify ways for the NTT faculty members to have a voice within their campus and college, school or academic unit and to be involved in faculty governance where appropriate.”**

The opinion of the Executive Committee stated in this memorandum obeys the injunction “to identify ways for the NTT faculty members to have a voice within their campus and college, school or academic unit and to be involved in faculty governance where appropriate.” We urge all MU faculty bodies to give voting rights to ranked NTT faculty members, while honoring the restriction concerning matters “specific to tenure or tenured/tenure track (T/TT) faculty.”