THE UNIVERSITY OF MICHIGAN

STANDARD PRACTICE GUIDE

SECTION:	Personnel	**Number:**	201.13
		Revised:	
SUBJECT:	Rules concerning acquiring the protection of Regents' Bylaw 5.09 by accumulating years of service	**Date Issued:**	11/1/93
		Attachment(s)	0
APPLIES TO:	Regular Instructional Staff	**Eff. Date:**	7/1/86
ISSUED BY:	Office of the Executive Vice President for Academic Affairs and Provost		

I. BACKGROUND

University practice permits each school and college to adopt policies concerning promotion and tenure reviews for full- and part-time members of its "regular instructional staff."[1] Each may establish its own probationary period after which candidates for tenure are evaluated and either given notice of non-reappointment[2] or recommended for tenure. Each may also choose whether or not time spent on various leaves[3] shall be counted toward the school or college probationary period. However, the maximum length of each school and college probationary period is limited by Regents' Bylaw 5.09 and the University's policy on notice of non-reappointment.

Regents' Bylaw 5.09 prescribes procedures that must be followed before certain members of the faculty may be dismissed, demoted, or terminated for cause. A right to these procedures is acquired upon being awarded indeterminate tenure by the Regents or upon the accumulation of eight years of full-time regular instructional staff appointments at the University of Michigan in the rank of instructor or higher.[4] This eight-year requirement is effectively shortened to approximately seven years by the University's policy on notice of non-reappointment.[5] The following rules specify the conditions under which a term of appointment is to be counted toward the eight years needed to acquire the protections of Bylaw 5.09 by the accumulation of years of service and, hence, they set an outer limit on how long a school or college may use the services of certain members of the instructional staff without giving them notice of non-reappointment or recommending them for tenure.

II. Rules

A. Bylaw 5.09 Time.

Time spent with a University appointment will be counted toward the acquisition of the protections of Regents' Bylaw 5.09 by the accumulation of years of service, if and only if each of the following title, rank, appointment fraction, and service conditions are met:

1. Title and Rank. The appointment must be a "regular instructional staff"[6] appointment at the rank of instructor or higher. This includes any appointment as a regular instructor, assistant professor, associate professor, or professor, even if it is specifically designated as "without tenure." It does

not include lecturer appointments nor adjunct, clinical, or visiting appointments.

2. Appointment Fraction. The appointment must be "full-time" within the University. For the specified purpose of Bylaw 5.09, "full-time" means an academic year or academic term appointment fraction of 80% or more as recorded in the official notice of appointment, even if the total fraction is split between two or more appointments.[7] For the 80% or more total to be acquired by adding two or more concurrent appointments, each of the added appointments must satisfy the Title and Rank conditions of 1. above, and the Service conditions of 3. below.

3. Service. The appointment must be spent:

   a) in residence at the University of Michigan; or

   b) on paid duty off campus; or

   c) on Sabbatical Leave (SPG 201.30-2) or Scholarly Activity Leave (SPG 201.30-4), for one year or less, unless the individual and the unit agree in writing to an exception to this provision at the time the leave is granted and such exception is approved in writing by the Office of the Provost and Executive Vice President for Academic Affairs.

   d) Time spent on other scholarly leaves may be counted provided the individual and the unit so agree in writing at the time the leave is granted and such agreement is approved in writing by the Office of the Provost and Executive Vice President for Academic Affairs.

B. Changes in Appointment or Service. Any change in title, rank, appointment fraction, or service that stops or starts the accumulation of University-wide Bylaw 5.09 time requires the prior written approval of the Office of the Provost and Executive Vice President for Academic Affairs.

C. Effective Date. This policy shall become effective July 1, 1986, except that it shall not apply to persons holding associate and full professor appointments that were specifically designated "without tenure" before July 1, 1986.

Notes

[1]Titles specified as "regular instructional staff" are defined in Standard Practice Guide (SPG) 201.34-1, "Classification of Instructional Staff."

[2] See SPG 201.88, "Notice of Non-reappointment" for the specific requirements regarding notice of non-reappointment.

[3] Leaves are defined in the Standard Practice Guide (Scholarly Activity Leave, SPG 201.30-4; Sabbatical Leave, SPG 201.30-2; Leaves of Absence without Salary, SPG 201.30-1).

[4] A year shall be considered two academic terms.

[5] See Note 2.

[6] See Note 1.

[7] No more than one year (two academic terms) may be accumulated in a twelve-month period.