

# Policy 6-301: Appointments, Annuities, and Retirement.

Revision 9. Effective date: February 8, 2022.

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**I. Purpose and Scope [Reserved]**

**II. Definitions [Reserved]**

### III. Policy

#### A. Faculty

1. All appointments to the university faculty shall be made by the president. Every appointment shall be made solely on the basis of the individual's merit in terms of the position concerned.
2. The Immigration Reform and Control Act of 1986 makes it mandatory that each new hire in any employment category completes a Form I-9. This form must be completed within the first three working days after hire. All university employment is contingent upon completion of the Form I-9. Information about the use of Form I-9 may be obtained from the Human Resources Department.

#### B. Term of Appointments

##### 1. Tenured Positions

- a. The appointment of a university faculty member in a position with tenure shall be deemed to be continuous in nature, except that the appointment shall be subject to termination in accordance with established policies, practices, and procedures of the university with respect to tenure.

##### 2. Tenure-Generating Nontenured Positions

- a. The appointment of a university faculty member without tenure in a position that is tenure-generating shall be deemed to be continuous in nature, except that the appointment shall be subject to review, non-retention, and termination under established policies, practices, and procedures of the university with respect to nontenured faculty.

##### 3. Non-Tenure-Generating Positions

- a. Unless otherwise specified at the time of appointment, the appointment of a faculty member in a position that is not tenure-generating shall terminate upon June 30 following the date of appointment, subject to renewal except as otherwise provided in applicable university policies and regulations. (See Retirement of Faculty Members below.)

#### 4. Academic Librarian Appointments

- a. The appointment of an academic librarian shall be deemed to be continuous in nature, unless the appointment is made under special conditions; however, during a specified probationary period it shall be subject to annual review, non-retention, and termination under the policies and procedures established with special reference to academic librarians.

#### C. Required Disclosure of Records

1. Personnel applying for or holding University positions are subject to the provisions of Policy 5-130 regarding criminal and other background checks.

#### D. Period of Responsibility for University Service

1. Unless a leave of absence or other special arrangements have been made by agreement, (1) a faculty member on a nine-month contract has the responsibility to provide two semesters of regular university service during each academic year; and (2) a faculty member holding a contract for a period other than nine months has the responsibility to provide regular university service for a period of time consistent with the length of the contract. In order to meet department instructional and research needs, department chairpersons, after appropriate consultations, shall schedule the semesters or other periods during which faculty members are expected to discharge their service responsibilities under this section.

#### E. Off-Semester Compensation for Faculty with Nine-month Appointments

1. Faculty members with nine-month appointments may be compensated for off-semester employment at the university. Normally, the rate of off-semester compensation will not exceed one-ninth of an individual's regular nine-month salary for each month of off-semester employment.

#### F. Retirement and Annuity Programs

1. University policies with respect to retirement and annuity programs for faculty members and other university employees are governed by Policy 5-112 and Policy 5-302. Information regarding retirement and annuity programs is available upon request from Human Resources.
2. The President and Board of Trustees reserve the right to amend and repeal the rules and regulations governing retirement and annuities.

#### G. Retirement of Faculty Members

1. The Board of Trustees regards the establishment of a basic age of retirement, the impartial administration of a retirement plan, and the provision of annuities after retirement as matters conducive to the progress and efficiency of the University and of interest to the members of the faculty.
2. On terms mutually agreed to by faculty members and their department chairpersons and college deans, faculty members may participate in the university's Phased Retirement Program. At the time of their final retirement, faculty members may be recommended by their department chairpersons and college deans for emeritus faculty appointments.

#### H. Payment of Compensation

1. Biweekly Installment Policy
  - a. Salaries for faculty members will ordinarily be paid in biweekly installments through the fiscal year, except as otherwise agreed or required in special circumstances, and except as authorized under university policies governing summer teaching and additional

compensation. (See III.E Off Semester Compensation above, and Policy 5-204.)

## 2. Prepaid Compensation Policy

- a. Compensation of faculty members is deemed to be earned only during the semesters or other periods in which university service is actually performed. Accordingly, compensation paid after July 1 of any fiscal year, but prior to the completion of performance of service obligations during that fiscal year, is deemed to be a prepayment of compensation. To the extent that all or any part of prepaid compensation is not subsequently earned by reason of the fact that the faculty member's equivalent service obligations are not in fact completed (e.g., because of termination or resignation of the faculty member before the completion of service), the unearned portion of prepaid compensation shall be repaid to the university by the faculty member upon demand. Where the enforcement of this obligation would be inequitable or would result in severe hardship, the president may waive repayment in whole or in part.
- b. For the purpose of this paragraph, "compensation" includes salary plus payments by the university for benefits.

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### *IV—VII Regulations Resource Information.*

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*\*\*User Note: Parts IV-VII of this Regulation (and all other University Regulations) are Regulations Resource Information – the contents of which are not approved by the Academic Senate or Board of Trustees, and are to be updated from time to time as determined appropriate by the cognizant Policy Officer and the Institutional Policy Committee, as per Policy 1-001 and Rule 1-001.\*\**

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## **IV. Rules, Procedures, Guidelines, Forms and other Related Resources [Reserved]**

## **V. References [Reserved]**

## VI. Contacts

The designated contact officials for this Regulation are

- A. Policy Owner(s) (primary contact for questions and advice): Associate Vice President for Faculty and the Associate Vice President for Health Sciences
- B. Policy Officer(s): Senior Vice President for Academic Affairs and the Senior Vice President for Health Sciences

See University Rule 1-001 for information about the roles and authority of policy owners and policy officers.

## VII. History

Renumbering from PPM 8-4 effective 9/15/2008

Revision History.

- A. Current version. Revision 9.
  - 1. Approved by -- Academic Senate January 10, 2022 and Board of Trustees February 8, 2022 with an effective date of February 8, 2022.

Editorial Revisions: *[reserved]*

- B. Past versions.
  - 1. Revision 8. Effective dates May 1, 2009 to February 7, 2022

Background information for Revision 8: 2009 Proposal for Criminal Background Checks Regulations

- 2. Revision 7. Effective dates May 17, 1999 to April 30, 2009
- 3. Revision 6. Effective dates March 8, 1999 to May 16, 1999