

Appointments, Reappointments and/or Promotions of Non-Tenure Track Faculty

(Updated May 12, 2023)

The purpose of this document is to bring to your attention the policies and practices governing appointments, reappointments and promotions of non-tenure track (“NTT”) faculty¹. Additional information concerning NTT faculty can be found in Article 27 of the collective negotiations agreement between Rutgers University and the AAUP-AFT for the term July 1, 2022 through June 30, 2026 (“Agreement”).

I. NTT Appointments (Excluding NTT Lecturer Titles)

A. Term of Appointment and Presumptively Renewable Contracts

Appointments of NTT faculty may be for a term ranging from one year to up to eight years, except grant-funded faculty appointments may be for a term of one to five years. There is no limit to the number of NTT faculty appointments an individual may receive, except for those faculty in an NTT Lecturer title (see Section II).

Effective July 1, 2023, non-grant funded NTT faculty shall receive the following terms of appointment upon reappointment:

- If reappointed, the second appointment shall be for a term of one year or greater.
- If reappointed, the third appointment shall be for a term of three years or greater.
- If reappointed, the fourth appointment shall be for a term of four years or greater.
- All appointments after the fourth appointment shall be for a term of at least five years and shall be presumptively renewable (as that term is defined below) regardless of rank.

Per Article 27, sections IV and V of the Agreement, “presumptively renewable” means that the NTT faculty member holding such an appointment may be non-reappointed for good cause, including poor performance, or termination or material modification of the entire program, or a drastic decrease in student enrollment in the program or department that necessitates a downsizing of the entire program or department.

Effective July 1, 2023, upon promotion to the rank of Assistant Professor, Associate Professor, Professor or Distinguished Professor, NTT faculty will receive a term equal to or greater than the term held immediately prior to promotion but in no case shall such appointment upon promotion be for a term less than:

- Three years upon promotion to the rank of Assistant Professor;

¹ Appointments and reappointments of Long-Term Contract Law Faculty shall be consistent with Article 27, Section XII, of the Rutgers-AAUP-AFT Agreement.

- Four years upon promotion to the rank of Associate Professor and the appointment shall be presumptively renewable as that term is defined above;
- Five years upon promotion to the rank of Professor and the appointment shall be presumptively renewable as that term is defined above; and
- Five years upon promotion to the rank of Distinguished Professor and the appointment shall be presumptively renewable as that term is defined above.

In all other instances, NTT faculty shall receive renewable contracts, contingent upon successful reappointment, with the exception of faculty in the NTT Lecturer title, who shall be offered non-renewable contracts (see Section II). Reappointment is subject to a continuing need for the position, adequate funding for the position, and a positive formal evaluation. Rutgers Policy 60.5.12 provides the notice requirements for faculty holding renewable appointments.

Per Policy 60.5.12, faculty holding appointments of one year or more must be given notice of non-reappointment, or of intention not to recommend reappointment as follows: four months prior to the expiration of the first year of academic service; seven months prior to the expiration of the second year of academic service; not later than twelve months in advance of the termination of the appointment in all other cases. If notice is not timely given, the contract will automatically be extended for a six-month period.

NTT faculty in grant-funded positions may be released prior to the end of their term if grant funding ends or is reduced during the term of the appointment. Under such circumstances the notice and six-month extension requirements are not applicable.

B. Evaluation of NTT Faculty

Evaluations of NTT faculty must take place in enough time to comply with the notification requirement set forth above. Therefore, it is recommended that evaluations be completed and forwarded to the dean one month prior to the required notice date (or to the Vice President for University Libraries and University Librarian in the case of Libraries). Evaluations must take place in accordance with the above schedule even when there is not yet a clear determination as to whether there will be a need for, and/or funding for the position. The department chair/director is responsible for completing the evaluation forms.

When an individual has received a positive evaluation, but the need or funding for the position has not yet been established, the individual must receive, in accordance with the above schedule, notice of non-reappointment. If, at a later date, the need and/or the funding for the position are established, an offer of reappointment may be made at that time. If the need for and/or the funding for the position do not develop, no reappointment will occur, regardless of the outcome of the evaluation. **A copy of all notices of non-reappointment shall be sent to the Office of University Labor Relations (oulr@oulr.rutgers.edu).**

The following minimum standards apply to the frequency of the evaluation of NTT faculty members:²

1. During the term of a two-year appointment, NTT faculty shall be evaluated at least once.
2. During the term of a three-, four- or five-year appointment, NTT faculty **shall be evaluated at least twice**.
3. During the term of a six-year appointment or greater, NTT faculty **shall be evaluated at least three times**.

In all cases, the evaluation for reappointment must take place in enough time to comply with the notice requirement pursuant to Rutgers Policy 60.5.12. As any other evaluation(s) during the term of the appointment are not for reappointment and/or promotion purposes, units are not required to utilize the Short Form for such evaluations though they may if they so choose. Units may utilize a narrative framework or any other written format they deem appropriate in order to provide assessments and guidance as needed. Use of the Short Form or written narrative format to reflect these evaluations shall be implemented consistently. Faculty shall be provided with copies of their written performance evaluations.

C. Promotion within the NTT Title Series

Except as noted below, NTT faculty with six consecutive years of full-time service in the same rank shall be considered for promotion to the next higher rank, if requested (i.e., rank review). All other requests from NTT faculty members to be considered for promotion may be granted at the department's or unit's discretion.

Effective July 1, 2023, NTT faculty at the rank of Instructor, with four consecutive years of full-time service in the Instructor rank, shall be considered for promotion to the next higher rank, if requested, in accordance with the procedures for promotion set forth in University Policies.

Effective July 1, 2023, upon promotion to the rank of Assistant Professor, Associate Professor, Professor or Distinguished Professor, NTT faculty will receive terms of appointment following the requirements of Section I.A above.

D. Criteria for Evaluation, Reappointment and Promotion

In addition to the criteria for evaluation, reappointment and promotion set forth in faculty appointment letters, criteria for evaluation, reappointment and promotion shall be established by each University department or unit for each NTT title series in use in such department or unit.

² For evaluation frequency of LTC Faculty in Rutgers Law School, refer to Article 27, Section XII(D) of the Agreement.

Such criteria shall be clearly delineated by the appropriate unit (department or decanal) on its website.

E. Reappointment and/or Promotion Evaluation Forms

There are two different forms for evaluation for reappointment and/or promotion of NTT faculty, depending on rank: (1) the “Short Form;” and (2) the Academic Promotion Instructions for Non-Tenure Track Faculty or the Academic Promotion Instructions for Non-Tenure Track University Library Faculty).

For Reappointment to the Same Rank (Regardless of Rank), and for Promotion to the Rank of Assistant Professor

- 1) Departments and Libraries units may use the appropriate Short Form. The department chair/director is responsible for completing the evaluation forms. NTT faculty members shall be evaluated by the department and principal investigator (if applicable); department chair/director; dean; and/or the designee of the University; NTT Libraries faculty shall be evaluated by the unit, AUL/Unit Director and the Vice President for University Libraries and University Librarian.³ A small standing departmental or unit personnel committee, or an ad hoc advisory committee, may act in the place of the entire department or unit. Criteria used to evaluate NTT faculty for reappointment and/or promotion, and the application of such criteria, shall be consistent with University Policy Sections 60.5.14(A) and 60.5.15 and shall be consistent with the faculty member’s responsibilities set forth in the appointment/reappointment letter.
- 2) Alternatively, units/departments may require candidates to complete the Recommendation Information Form (Form NTT-1 or Form NTT-1-L) contained in the Academic Promotion Instructions for Non-Tenure Track Faculty or Academic Promotion Instructions for Non-Tenure Track University Library Faculty in lieu of the Short Form; if the unit/department requires completion of a Form NTT-1 or Form NTT-1-L, it shall be attached to the Short Form, and such requirement shall apply to all individuals at the same rank within the same title series in that unit/department in that same year.

For Promotion to the Rank of Associate Professor or Higher

Units/departments must utilize the Form NTT-1 (or for NTT-1-L, as applicable) and must follow the procedures specified in the Academic Promotion Instructions for Non-Tenure Track Faculty or the Academic Promotion Instructions for Non-Tenure Track University Library Faculty, as applicable.

³ Certain units of the University may also utilize an Advisory Committee on Appointments and Promotions (A&P Committee). When a unit decides to use an A&P Committee, it shall apply to all candidates at the same rank within the same title series in that unit/department in that same year.

F. Final Levels of Review

Non-Library Faculty

1. Reappointment: final decisions on NTT reappointments, regardless of rank, rest with the deans.
2. Promotion: final decisions on NTT promotions rest with the Chancellor or Chancellor-Provost **except** when both the department and decanal levels of review are negative and the case is not proceeding pursuant to Rank Review, in which case final decisions rest with the dean.

Library Faculty

1. Reappointment: final decisions on NTT reappointments, regardless of rank, rest with the Vice President for University Libraries and University Librarian.
2. Promotion: final decisions on NTT promotions rest with the Vice President for University Libraries and University Librarian.

G. Notification of Final Action

NTT Non-Library Faculty

Deans are responsible for notification to candidates in all cases.

- In promotion cases that do not proceed to the Chancellor or Chancellor-Provost, the candidate must be notified in writing by the dean or director (or his/her designee) within ten (10) working days of the final decision, with a copy to the Office of University Labor Relations.
- In promotion cases that proceed to the Chancellor or Chancellor-Provost, deans and directors will be notified by the Chancellor or Chancellor-Provost of final decisions and shall notify the candidates within ten (10) working days of receipt of such notification, with a copy to the Office of University Labor Relations.

NTT Library Faculty

Formal notification of the final action in NTT promotion decisions shall be sent to the candidate by the Vice President for University Libraries and University Librarian. Specifically, the candidate will be notified in writing by the Vice President for University Libraries and University Librarian of the final decision in the particular personnel action within ten (10) working days of the final decision, with a copy to the Office of University Labor Relations.

H. Appointment/Reappointment Letters

Appointment/Reappointment letters shall clearly state that the appointment is renewable, contingent upon successful reappointment. Appointment/Reappointment letters shall also include the following: annual salary; title/rank; effective dates and term of appointment; notification date for reappointment; notice that the position is covered under the Recognition Clause of the Agreement; the faculty member's responsibilities, which may be amended upon written notice to the faculty member; and the evaluation criteria for reappointment and promotion/reappointment. If applicable, the letter should clearly state that the position is grant-funded and will automatically conclude in the event of the expiration or reduction of funding. Sample appointment and reappointment letters can be found at <https://laborrelations.rutgers.edu/faculty/resources> under the “Non-Tenure Track Faculty Appointment” tab. A copy of the appointment letter shall be forwarded to the AAUP-AFT (aaup@rutgersaaup.org).

II. NTT Lecturer Appointments

The NTT Lecturer (formerly Lecturer) title shall be used when an appointment to a NTT position is expected to be of temporary or limited duration and can be made for a term ranging from one semester to one year. Appointments of temporary or limited duration may include, for example, appointments to fill positions of faculty members on sabbaticals or leaves of absence, and for terminal year appointments. Appointments to the NTT Lecturer title shall not exceed three consecutive years. Individuals appointed as NTT Lecturer are not eligible for reappointment to that position nor is any formal evaluation conducted.

Individuals with the title NTT Lecturer do not receive any notice of expiration of their appointment beyond that which is contained in the appointment letter. **The appointment letter should clearly state that the appointment is non-renewable and that there is no expectation of continued employment beyond the term of the appointment.** In addition, the appointment letter shall include the following: effective date and term of appointment, annual salary, title/rank, and the faculty member's responsibilities. If applicable, the letter should also state that the position is covered by the collective negotiations agreement between Rutgers University and the AAUP-AFT.

Please contact the Office of University Labor Relations (oulr@oulr.rutgers.edu) for information regarding NTT faculty appointments, reappointments, and/or promotions.