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NU-BOR-Bylaws-4.3

NU Board of Regents

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discriminated against with respect to the duration of association with the University, pay or other emoluments of their office, appointment, position, or their working conditions because of their enjoyment, or exercise, of their right of academic freedom, or in any case where such action would constitute a violation of federal or state civil rights laws or regulations. Staff members who violate laws prescribed by civil authorities may incur penalties attached to such laws. The University should not impose sanctions to duplicate the function of these laws. Where the University's interest as an academic community is clearly involved, the authority of the University may be asserted. The Board reaffirms belief in, pledges support of, and directs all segments of the University community to sustain and follow the foregoing principles of academic freedom.

History: Amended, 49 BRUN 300 (16 June 1984).

Several sections were consolidated and renumbered in the 1984 revised edition.

4.3 **Appointments: Apportionment of Faculty Responsibilities; Stated in Writing.** [a] Every appointment by the University to a position as defined in Section 3.1.1.1 of these *Bylaws* shall be in writing and signed by the Board or its authorized agent. The writing shall contain the following, and may contain additional mutually agreed upon terms:

(1) Identification of the type of appointment, either a “Special Appointment,” an “Appointment for a Specific Term,” “Continuous Appointment,” “Health Professions Faculty Appointment,” or a “Faculty Practice and Faculty Research Appointment” as defined in Sections 4.4.1, 4.4.2, 4.4.3, 4.4.7, and 4.4.8 of these *Bylaws*.

(2) A statement that the rights and responsibilities specified in Sections 4.1 through 4.2 of these *Bylaws* are a part of the appointment.

(3) Identification of the appointee's rank, compensation, fringe benefits, and, where applicable, the termination date of the appointment.

(b) In addition to the written appointment required by this Section, every faculty member appointed to a position as defined in Section 3.1.1.1 of these *Bylaws* shall, when initially appointed, be given a written statement specifically stating and apportioning the faculty member's initial teaching, extension, service, research, and administrative responsibilities.

(1) This written statement shall be provided by the unit administrator or other appropriate official.

(2) The specific apportionment of a faculty member's responsibilities shall be reviewed periodically. Either the faculty member or the responsible unit administrator may initiate discussions of changes in apportionment of teaching, extension, service, research, and administrative responsibilities. In the process of any such discussions, both the faculty member and the unit administrator shall act in good faith to reach a mutual agreement.

(i) If the faculty member and the unit administrator are unable to reach mutual agreement with respect to changes in apportionment of the faculty member's responsibilities, the unresolved issues between them shall be expeditiously reviewed and decided by an elected faculty committee of the faculty member's tenure home college or equivalent administrative unit established pursuant to Section 2.9 of these *Bylaws*. The rules and regulations for each such committee may provide for a representative of the faculty member's tenure home department or equivalent administrative unit to serve as member of the committee.

(ii) Each college shall develop rules and regulations pertaining to the membership of this committee. These rules may allow an elected faculty representative of any department(s) or

equivalent administrative units in which the faculty member holds a full or partial appointment to serve on the committee, as either full or nonvoting members.

(iii) The committee shall consider the positions of each party in relation to the departmental and college missions, as well as the faculty member's overall areas of professional competence and expertise. The committee shall decide whether the apportionment of the faculty member's responsibilities shall be changed and, if so, in what manner. The decision of the committee shall be reasonably within the faculty member's overall areas of professional competence and expertise; it shall be in writing and it shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these *Bylaws*. It shall be final, subject only to review by the committees established by Sections 4.13, 4.14 and 4.15 of these *Bylaws*.

(c) Within the terms of a faculty member's general apportionment of responsibilities, the details of a faculty member's specific assigned duties shall, after consultation with the faculty member, be determined by the department chair or head, unit administrator, or director concerned, consistent with the requirements of Section 3.4.4 of these *Bylaws*. Duties may vary from semester to semester, but must be reasonably within the faculty member's overall areas of professional competence and expertise, and shall not violate the rights and responsibilities of the faculty member provided in Sections 4.1 and 4.2 of these *Bylaws*. These decisions are subject to review by the committees established by Sections 4.13, 4.14, and 4.15 of these *Bylaws*.

(d) Definitions.

(1) The word "apportionment" as used in this Section 4.3 means and refers to the specified division among teaching, research, service, extension, and administrative responsibilities making up a faculty member's University appointment. It is generally expected that a faculty member's apportionment of responsibilities shall be relatively stable from year to year, unless there is reasonable justification for change.

(2) The term "assigned duties" as used in this Section 4.3 means and refers to the specific professional activities a faculty member is responsible for carrying out in a given year within each apportioned area of his or her University appointment.

History: Amended, 73 BRUN 46-48 (9 October 2015)
Amended, 63 BRUN 60 (15 July 2000)
Amended, 53 BRUN 149 (6 May 1988)

4.4 **Types of Appointments: Professional Staff.** (As defined in Section 3.1.1)

4.4.1 **Special Appointments.** Appointments to (a) all administrative and non-faculty professional staff positions, and (b) all appointments to faculty positions that are not "Appointments for a Specific Term," "Health Professions Faculty Appointments," "Faculty Practice and Faculty Research Appointments," or "Continuous Appointments" shall be "Special Appointments." The following types of faculty appointments shall be filled by Special Appointment only: (1) temporary appointments, (2) appointments to part-time positions, (3) appointments for less than one academic year in any rank, (4) courtesy appointments, (5) appointments to volunteer status, (6) annual appointments beyond retirement age, (7) appointments to the rank of instructor, assistant instructor, lecturer, or senior lecturer (8) appointments to ranks preceded by the designation "visiting," and (9) appointments supported by funds over which the University does not have control or which the University cannot reasonably expect to continue indefinitely, provided, that the total period of full-time service on a faculty Special Appointment in the rank of instructor shall not exceed seven years.