

C. Assistance for Faculty Members and Rights to New Positions

1. Institutional Assistance to Employees who are Terminated.

The institution, when requested in writing by an employee whose employment has been terminated, shall give him/her reasonable assistance in finding other employment.

2. First Right of Refusal of New Positions. For two years after the effective date of termination of a faculty member's contract for any of the reasons specified in Section 6. A, the institution shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by mail³, return receipt requested, to the faculty member's last known address, and the faculty member will be given thirty calendar days after attempted delivery to accept or reject the offer.

SECTION 7. RETIREMENT OF FACULTY

A. Retirement Policy for Members of the Faculty

Faculty may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes ("Retirement System of Teachers and State Employees").

SECTION 8. SPECIAL FACULTY APPOINTMENTS, NEW HIRES WITH EXEMPLARY CREDENTIALS, AND INSTRUCTORS

A. Special Faculty Appointments

Appointments may be made to fixed term faculty ranks with title designations "lecturer," "artist in residence," "writer in residence," and any faculty rank designation provided in paragraphs one (1) through four (4) of this subsection with the prefix-qualifier "adjunct," "clinical," or "research" under the conditions and with the incidents herein provided. Such an appointment, using any of the foregoing title designations, is appropriate for one who has unusual qualifications for teaching, research, academic administration, or public service, but for whom neither the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which the appointment has been made or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

Initial appointments may be for a fixed term of from one to three years. Subsequent appointments to fixed terms of from one to five years duration may be made either in direct succession or at intervals. Each is considered an initial appointment. North Carolina Agricultural and Technical State University is not obliged to give any notice before a current term expires as to whether appointment will be offered for a succeeding term. Thus, the specification of the length of the appointment shall be deemed to constitute full and timely notice of non-reappointment when that term expires. But the appropriate school dean or division director, upon the faculty member's written request made not later than 90 days before a current

term expires, shall within 20 days after he/she received the request give the faculty member a written decision whether an offer of reappointment will be made and, if so, its terms. Failure to communicate a decision constitutes notice that no offer will be made. The decisions herein required shall be made as provided in Section 3.D.

B. New Hires with Exemplary Credentials

In exceptional cases an academic unit might hire a candidate with exemplary credentials to associate or full professor rank with tenure. In such a case, the candidate's credentials must be reviewed by the University's tenure policy, and the process must result in a positive decision before an offer of permanent tenure can be made to the candidate. The candidate will be asked to prepare a package of his/her credentials and apply for tenure. The Provost will call upon the relevant tenure committees and the Dean to expedite the review process (as outlined in Section 3.D) and reach a positive or negative recommendation in a timely fashion. The decision of the tenure process will be communicated to the candidate and it may result in an offer for hire with or without tenure.

C. Instructors

The rank of instructor is appropriate for one who is appointed to the faculty in the expectation that he/she will progress toward the professorial rank (assistant professor, associate professor, or professor) but lacks, when appointed, one or more qualifications expected by his/her department⁵ or school for appointment to professorial rank. When he/she meets all those qualifications, the faculty member will be considered for promotion to assistant professor and then either promoted or given timely notice of non-reappointment.

The initial appointment to the rank of instructor is for a probationary term of one year. The instructor may be reappointed successively for six additional one-year terms, or a total of seven such terms. At least 90 days before the end of the first term and 180 days before the end of the second consecutive term, the instructor shall be given written notice whether, when his/her current term expires, he/she will be reappointed to the rank of instructor for another term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 3. B(5), or not reappointed. During the last 180 days of the second consecutive year of employment, the institution may notify the instructor that his/her employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, the instructor who has not been notified that his/her employment will be ended in that year as provided in the preceding statement shall receive written notice whether, when his/her current term expires, he/she will be reappointed to a fourth consecutive term, promoted to the rank of assistant professor, appointed to a fixed term as provided in Section 3. B (5), or offered a terminal one-year appointment at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and sixth consecutive terms. No reappointment to the rank of instructor may be made after seven consecutive years of

⁵ "Department" is used herein as a generic term for departments, professional schools, the library, and any other academic units to which faculty reappointments are made; "chairperson," as a generic term for department chairperson, deans of professional schools, director of the library, and any other heads of academic units to which faculty reappointments are made.

employment at that rank. The failure to give the required notice of a decision not to reappointment at any point herein required has the same effect as a decision at that time to offer a terminal appointment at the same rank for one academic year. The decisions herein required shall be made as provided in Section 3. D.

Promotion at any time from the rank of instructor to that of assistant professor constitutes an initial appointment at the latter rank, with the incidents described in Section 3. B (2).