

MONTANA TECH FACULTY/STAFF HANDBOOK

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SECTION I: ORGANIZATION AND ADMINISTRATION

101 MONTANA UNIVERSITY SYSTEM

Effective July 1, 1994, the following units comprise the Montana University System:

- Montana State University-Bozeman
- Montana State University-Billings
- Montana State University-Northern
- The University of Montana-Missoula
- Montana Tech of The University of Montana
- The University of Montana - Western
- College of Technology (within MSU-Billings)
- College of Technology (within Montana Tech of The University of Montana)
- MSU College of Technology-Great Falls
- The University of Montana – Helena College of Technology
- College of Technology (within The University of Montana)

102 BOARD OF REGENTS

The governance and control of the Montana University System is vested in a Board of Regents of Higher Education, which shall have full power, responsibility, and authority to supervise, coordinate, manage, and control the Montana University System and shall supervise and coordinate other public educational institutions as assigned by law. The Board consists of seven members appointed by the Governor and confirmed by the Senate. Each member is appointed for staggered terms of seven years. If a member does not serve his/her full term, the vacancy is filled for the remainder of the unexpired term. One of the members shall be a student appointed by the Governor who is registered full time at a unit of education under jurisdiction of the Board. The length of the term of the student member shall not be less than one year and not more than four years. B.O.R. Policy Handbook is available in the Office of the Chancellor or online at <http://mus.edu/borpol/default.asp>.

103 COMMISSIONER OF HIGHER EDUCATION (BOARD OF REGENTS' POLICY 204.3)

The Commissioner of Higher Education shall be the chief executive officer of the Montana University System. The Commissioner of Higher Education reports to the Board of Regents. The duties of the Commissioner shall be in accordance with B.O.R. Policy 204.3.

104 PRESIDENTS: DUTIES & RESPONSIBILITIES

The President of a unit of the Montana University System is the chief executive officer at that unit and is vested with the responsibility of administering Board policies under the supervision and control of the Commissioner of Higher Education.

Each President is under the direction of and is responsible to the Commissioner of Higher Education. Presidents are appointed by the Board of Regents upon the advice and recommendation of the Commissioner.

105 CHANCELLORS: DUTIES & RESPONSIBILITIES (BOARD OF REGENTS' POLICY 205.2.1)

The Chancellor is the CEO responsible for the management of a four-year campus affiliated with a university. The Chancellor shall provide leadership and coordination for all campus activities, including academic, fiscal, and student affairs.

Each Chancellor is under the direction of and is responsible to the President of the affiliated university. Chancellors are appointed by the Board of Regents upon the advice and recommendation of the appropriate university president and the Commissioner.

106 LOCAL EXECUTIVE BOARD (BOARD OF REGENTS' POLICY 217.1)

Each campus shall have a local executive board appointed as provided in 20-25-303 MCA. Local board functions relating to institutional management or staff are limited to such as may be conferred by the Board and are subject always to the supervision of the latter.

The functions of each board shall include consultative and advisory service to the CEO of the Institution as well as other duties as may be duly specified and communicated to them by, or on behalf of, the Board, CEO or the Commissioner of Higher Education according to Board of Regents' Policy 217.1.

107 COLLEGE ADMINISTRATION: SUCCESSION & DIRECTORS

107.1 CHANCELLOR

The Chancellor is the chief executive officer of the Institution and of the Montana Bureau of Mines and Geology, a department of Montana Tech. The Chancellor reports to the President of The University of Montana for the internal administration of the Institution. Subject to the supervision of the President, the Chancellor shall (1) have the immediate direction, management, and control of the respective units, including instruction, practical affairs, and scientific investigation; (2) be the chief administrative officer of the general faculty and of the special faculties of the departments or colleges and the executive head of the unit in all its departments; and (3) have the duties of one of the professorships as long as the interests of the unit requires it.

107.2 VICE CHANCELLOR FOR ACADEMIC AFFAIRS & RESEARCH (VCAA/R)

The Vice Chancellor for Academic Affairs and Research serves as Dean of the Faculty and reports to the Chancellor for the planning, organization, and development of the academic and research programs and related personnel of the Institution, including Institutional Research, Technical Outreach, the Learning Center, and the Library. The Vice Chancellor for Academic Affairs and Research is responsible and accountable for the budget in those academic areas under his/her direction and for such other administrative responsibilities as may be delegated by the Chancellor.

107.3 VICE CHANCELLOR FOR ADMINISTRATION & FINANCE

The Vice Chancellor is responsible for the areas of budgeting, payroll, personnel, purchasing and accounts payable. This includes supervision, program development, problem resolution and policy development and oversight in these and other areas, including the Business Office, Grants and Contracts Accounting, the Mail and Copy Center, the Bookstore, and Information Technology and other computer related functions. Reports to the Chancellor. The Vice Chancellor also acts as the EEO/AA Officer and reports to the Chancellor for these duties.

107.4 VICE CHANCELLOR FOR DEVELOPMENT & STUDENT SERVICES

The Vice Chancellor is responsible for the areas of marketing, enrollment management, and student services, including dining services, residence life, career services, student activities, international students, and counseling. The Vice Chancellor also acts as President of the Montana Tech Foundation and reports to the Chancellor.

107.5 ASSOCIATE VICE CHANCELLOR FOR ACADEMIC AFFAIRS AND RESEARCH; DEAN OF THE GRADUATE SCHOOL

The Associate VCAA/R and Dean of the Graduate School is responsible for the administration of research and graduate study, overall support for the Office of the Graduate School, and oversight of the Center for Advanced Materials Processing. Reports to the Vice Chancellor for Academic Affairs and Research.

107.6 ASSOCIATE VICE CHANCELLOR FOR STUDENT AFFAIRS; DEAN OF STUDENTS

The Associate Vice Chancellor and Dean of Students is responsible for counseling (personal, academic and career), testing, foreign student advisement, student health insurance/health center and day care. The Associate Vice Chancellor and Dean of Students also supervises the areas of Residence Life, Student Union and Activities, which includes HPER Management and Campus Recreation, and the student affairs component of the Tech Learning Center. Reports to the Vice Chancellor for Development and Student Services.

107.7 CONTROLLER

The Controller is responsible for the Institution's financial planning processes, procedures, and policies pertaining to accounting, internal control, business services and operations, financial reporting, and coordination and review of financial and performance audits. The Controller is also responsible for the management of debt issuance and retirement of debt. The position has oversight responsibilities for the maintenance and management of cash and investments, and financial and business administrative informational systems. The Controller reports to the Vice Chancellor for Administration and Finance.

107.8 DIRECTOR OF ENROLLMENT MANAGEMENT

The Director of Enrollment Management assists the VCAA/R in inquiries and reporting related to the academic programs. Duties include responsibility for registration, class scheduling, classroom scheduling, class lists, student academic record system, enrollment reports, evaluation of degree candidates, college catalog, preparation of degree lists, and administration regarding student academic conflicts. The Director is responsible for the development and coordination of the student recruitment and admissions program. This includes, but is not limited to, providing an efficient and timely flow of pertinent information about Montana Tech to prospective students from the time of initial contact through matriculation, administration of campus visitation and freshman scholarship programs, admissions counseling, admissions, and residency decisions. Responsible for providing new students with an easy transition from previous education to enrollment at the Institution. The Director is also responsible for the operation of the evening and summer school. Reports to the Vice Chancellor for Development and Student Services.

107.9 DIRECTOR OF THE LIBRARY

The Library Director formulates programs and services relating to the access, acquisition, organization and dissemination of scholarly information in support of learning, teaching, research, and public service activities. Responsibilities include the supervision and direction of professional and classified personnel assigned to the Library. Reports to the Vice Chancellor for Academic Affairs and Research.

107.10 DIRECTOR OF CAREER SERVICES

The Director of Career Services collects information regarding employment opportunities for Montana Tech graduates, seeks to facilitate interest between graduates seeking employment and potential employers, collects and publishes statistical information on job placement of all graduates, and serves as a clearing house for alumni seeking career advancement. Additionally, workshops, training sessions, and counseling are provided to students on job-search preparation and career planning, including interviewing, resume preparation and related subjects. The program develops internships for students and works with faculty supervisors. Reports to the Associate Vice Chancellor for Student Affairs.

107.11 DIRECTOR OF ENROLLMENT PROCESSING AND FINANCIAL AID

The Director administers all federal financial aid, short-term loans, student-deferred payments, scholarship correspondence, and advises students on financial aid. The Director also oversees all student employment, including requests for off-campus student employment. Reports to the Associate Vice Chancellor for Student Affairs.

107.12 DIRECTOR OF PHYSICAL FACILITIES

The duties of this office are to maintain and improve campus facilities as set forth by the Administration. The Director of the Physical Facilities reports to the Chancellor and works cooperatively with the Vice Chancellor for Academic Affairs and Research. Functions of the Physical Plant are building and grounds maintenance, construction planning, inspection, purchasing physical plant supplies, campus security, traffic and parking services, and fire protection services.

107.13 DIRECTOR OF INFORMATION SERVICES

The Director of Information Services reports to the Vice Chancellor for Administration and Finance. He/she administers, manages and coordinates all the Institution's administrative computing functions, including management of the student information system. This position has budget responsibilities for Information Services and acts as the lead Oracle DBA, Banner security officer, and web tailor administrator. This position also helps maintain the Institution's data warehouse, is the systems analyst for Student Services, and troubleshoots problems within the administrative computing area.

107.14 DIRECTOR OF NETWORK COMPUTER SERVICES

The Director of Network Services reports to the Vice Chancellor for Administration & Finance. He/she administers and coordinates all of the Institution's campus computer networking. This includes responsibility for all matters pertaining to data delivery, network security, network performance, trend analysis, and traffic monitoring, quality of service, centralized data services, network infrastructure, servers and core network electronics. This position supervises all personnel within Network Services and directs and coordinates all activities relating to a productive network.

107.15 DIRECTOR OF STUDENT UNION & STUDENT ACTIVITIES

The Director of Student Union and Student Activities is the advisor to ASMT and is responsible for working with students to develop and implement a meaningful co-curricular program that is supportive of the educational mission and curriculum of the Institution. The Director coordinates the Student Club and Organization Recognition policies and supervises other Institution policies and procedures related to student activities and conduct. The Director of Student Union and Activities manages the Student Union Building, the Mill Building, and the HPER Manager/Campus Recreation Position. The Director also supervises the campus scheduling. Reports to the Dean of Students.

107.16 DIRECTOR OF THE NORTH CAMPUS TECH LEARNING CENTER

The Director is a member of the Academic Affairs staff of the Institution. The Director provides expertise to facilitate and enhance the learning experience of students as follows:

- by providing tutorial support;
- by advising and counseling students;
- by conducting college success workshops;
- by administering and evaluating math placement tests; and
- by supporting the campus orientation program.

The Director is responsible for selecting, training, and supervising the student staff and peer tutors and for the acquisition of academic resource materials and equipment. The Director documents, compiles, and distributes statistical information on student use of the Tech Learning Center. The Director is also responsible for the Institution's pre-advisement and retention programs. The Director reports to the Vice Chancellor for Academic Affairs and Research.

107.17 DIRECTOR OF ATHLETICS

The Director of Athletics is responsible for the direction of all athletic programs at the Institution, including the recruitment of athletes and supervision of the athletic scholarship program. The Director is also responsible and accountable for the athletic budget. Reports to the Chancellor.

107.18 SUCCESSION IN ABSENCE OF CHANCELLOR

In order to ensure that administrative authority and responsibility are properly allocated in the absence of the Chancellor from campus, the following order of succession normally applies: Vice Chancellor for Academic Affairs and Research then Vice Chancellor for Administration and Finance.

108 MONTANA BUREAU OF MINES & GEOLOGY

According to State Statutes 20-25-211, -212, and -301, MCA, a department designated as "the Montana Bureau of Mines and Geology, which shall be under the direction of the Regents, is established at the College."

The Bureau of Mines and Geology shall:

1. Compile and publish statistics relative to Montana geology, mining, milling and metallurgy;
 2. Collect:
 - typical geological and mineral specimens;
 - sample of products;
 - photographs, models and drawing of appliances used in the mines, mills and smelters of Montana;
 - a library and bibliography of literature relative to the progress of geology, mining, milling and smelting in Montana;
 3. Study the geological formations of Montana, with special reference to their economic mineral resources and groundwater;
 4. Examine the topography and physical features of Montana relative to their bearing upon the occupation of the people;
 5. Study the mining, milling and smelting in Montana relative to their improvement;
 6. Publish bulletins and reports of a general and detailed description of the natural resources, geology, mines, mills and reduction plants of Montana;
 7. Make qualitative examinations of rocks and mineral samples;
 8. Consider scientific and economic problems the Regents deem valuable to the people of Montana;
 9. Communicate special information of Montana geology, mining and metallurgy;
- Cooperate with:
- departments of the Montana University System;
 - the State Mine Inspector;
 - departments of the State;

- the United States Geological Survey;
 - the United States Bureau of Mines;
10. Make examinations of state land regarding its geological and mineral value at the request of the Department of Natural Resources and Conservation and Investments. These services are limited to the time available for such work after all other duties of the Bureau of Mines and Geology are served. Written reports shall be furnished. Travel, food, lodging and incidental expenses incurred by the examiner shall be paid by the agency requesting the examination upon presentation of claims in the ordinary form.
 11. Deposit all material collected in the state museums or at Montana Tech after completed use by the Bureau of Mines and Geology;
 12. Distribute duplicates of representative material to the units of the Montana University System to their best educational advantage; and
 13. Print regular and special reports, with illustrations and maps, and distribute them on direction of the Regents.

109 CAMPUS COMMITTEES, COUNCILS, AND BOARDS

Governance and decision-making are assisted by a variety of campus committees, councils, and boards. These committees, councils, boards and their membership are approved by the Chancellor.

A copy of the Committee Roster is available from the VCAA/R Office and posted to the shared folder annually. Faculty Committee descriptions are attached as Appendix A to the Handbook.

SECTION II: FACULTY ORGANIZATION AND PROCEDURE

201 THE FACULTY

For the purposes of this handbook, only as specifically delineated, the faculty shall consist of anyone having teaching responsibilities or who carries faculty rank.

201.1 POLICY BOARDS

The Academic Policy Board shall consist of all full-time faculty whether teaching or research. The Academic Policy Board shall meet at the call of the Vice Chancellor for Academic Affairs and Research (VCAA/R) and/or the Faculty Senate.

202 ACADEMIC FREEDOM (BOARD OF REGENTS' POLICY 302)

<http://mus.edu/borpol/bor300/302.pdf>

The portion of the 1940 Statement of Principles on Academic Freedom and Tenure of the American Association of University Professors set out below is endorsed by the Board of Regents of Higher Education. That statement was revised by the governing bodies of the American Association of University Professors and the Association of American Colleges in November 1989 and January 1990, in order to remove gender-specific references from the original text. Those revisions have been incorporated into the statement.

"Academic Freedom"

- a. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the Institution.
- b. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter that has no relation to their subject. Limitations of academic freedom because of religious or other aims of the Institution should be clearly stated in writing at the time of the appointment.
- c. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

The Regents place particular emphasis on paragraphs (b) and (c) of the above statement relating to the responsibilities as well as the privileges which members of the profession and professional organizations associate with this important concept of American life.

203 FACULTY CODE OF CONDUCT

The Institution is devoted to the pursuit of learning in the broadest sense. Its public responsibilities include the transmission of learning, the creation of knowledge, and the performance of services in related endeavors. Traditionally, colleges have served not only as transmitters of learning and repositories of knowledge, but also as institutions for the development of that innovation and criticism without which civilization cannot progress. In the fulfillment of these traditional obligations, the Institution and its members are occasionally put in a position of

apparent conflict among themselves and society. It is sometimes inevitable that new knowledge should find itself at odds with the old. Experimentation with new ideas and criticism of society is the inevitable and desirable result of a properly functioning institution.

These conflicts between the Institution and the community, and within the Institution itself, must not be allowed to interfere with the effective operation of the Institution. It is essential that the membership of the Institution be guaranteed freedom of expression, inquiry, association, criticism, and dissent without fear of reprisal, bodily harm, or physical disorder. The responsibility of maintaining academic freedom is shared by the Institution and through the persons of its students, its faculty, its administrators and its regents and by society.

The members of the college community reaffirm that they have all the ordinary rights and obligations of citizens, and that they enjoy no special privilege to immunity as members of the community at large. The Institution is governed by regulations designed to safeguard its functions, and membership in the academic community entails a special obligation to support the Institution's general purpose.

The faculty of the Institution recognizes that the possession of academic freedom imposes upon its members a special obligation to exercise that freedom through the practice of open and honest intellectual inquiry and expression.

To assure the maintenance of conditions under which the Institution may successfully operate, we subscribe to the following Faculty Code of Conduct:

- a. Members of the college faculty, whatever their rank and assigned duties, are expected to nurture, protect, and exercise academic freedom.
- b. The privilege of the classroom must not be abused through neglect, exploitation or intellectual dishonesty.
- c. As a teacher, the faculty member must adhere to his/her proper role as intellectual guide and counselor, and respect the confidential nature of the relationship between professor and student.
- d. The use or threat of physical violence by faculty members constitutes behavior inconsistent with the integrity and continuity of the Institution.
- e. Acts of discrimination for reasons of age, race, sex, religion, economic status, or national or tribal origin are considered unsuitable behavior.
- f. Implementation of these principles shall be conducted by members of the Faculty Service Committee (as defined by Board of Regents) augmented with a representative from the Faculty Senate.
- g. Faculty members shall not participate in ASMT elections or campaigns in any way that overtly favors any particular candidate or issue. This restriction applies only to scheduled class times or any other times in which the faculty member is acting in an official capacity.

In addition to this code, the faculty has a responsibility to interact with their peers in a congenial manner. In its statement on professional ethics, the AAUP addresses the collegial responsibility of faculty.

As colleagues, faculty members have obligations that derive from common membership in the community of scholars. Faculty members do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, faculty members show due respect for the opinions of others. Faculty members acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Faculty members accept their share of faculty responsibilities for the governance of their institution.

The faculty of Montana Tech endorses this AAUP statement. All state employees are also subject to the Standards of Conduct for State Employees. (MCA 2-2-201).

204 RECRUITING & SELECTING NEW FACULTY

204.1 RECRUITING AND SELECTING FULL-TIME FACULTY

Each opening, resulting from either a resignation, creation of a new position, or change from non-tenure track to tenure track, is an opportunity for the Institution to enhance its stature or broaden its educational resources in concert with its traditional and changing roles in both teaching and research. In choosing a faculty member, a thorough search, as outlined below, shall be conducted. The Department Head and faculty of the department where the new faculty member will reside shall have primary responsibility for the search. The Department Head shall consult with the Dean or MBMG Director to establish the Search Committee.

- a. In recruiting faculty, it is the primary responsibility of the Department Head and the faculty of the department where the new faculty member will reside to describe the academic and professional qualifications of the position to be filled. Although the ultimate responsibility for the position lies with the Chancellor, this description shall be the product of an informative and participative dialogue among the relevant instructional or research faculty, Dean, and VCAA/R or MBMG Director.
- b. The formal Search Committee selects final candidates from which the position shall be filled. The Search Committee shall normally consist of three faculty members representing the academic department and one faculty member from outside the department. Student involvement is encouraged and may include a student member appointed by the Department Head to the Search Committee. The Department Head may serve on the committee as one of the department members or serve as chair of the committee.
- c. A Doctoral degree shall be the normal minimal requirement for faculty rank above instructor at Montana Tech. Exceptions to this, including either additional or lesser requirements, shall be determined by the affected department members in consultation with the Department Head, Dean and VCAA/R or MBMG Director.
- d. The Department Head, Dean, VCAA/R or MBMG Director shall assist the Search Committee in filling out required paperwork, providing salary guidelines, placing advertisements in appropriate journals, interviewing candidates, and insuring compliance with the Institution's responsibilities for AA/EEO and proper search and selection procedures. (See Section III of this Handbook.)
- e. The chair of the Search Committee is responsible for insuring that a representative from the Personnel Office is present at the initial meeting to review AA/EEO requirements and appropriate campus policies.
- f. The Search Committee is responsible for screening applicants, contacting references, interviewing candidates, and selecting final candidates for the position. The committee may, if it wishes, prioritize the finalists and recommend a top candidate to the Department Head, Dean and VCAA/R or MBMG Director. The Chancellor, in conjunction with the VCAA/R or MBMG Director, Department Head and Dean, makes a formal contract offer and informs the Dean, Department Head and Search Committee when an offer has been accepted.
- g. It is the responsibility of the Search Committee and chairperson to notify all unsuccessful candidates when the position has been filled. All files shall be transferred to the Personnel Office within ten days upon completion of the search.
- h. The appointing authority, or as delegated by the VCAA/R or MBMG Director, informs all final candidates of their rights as a prospective faculty member and negotiates specific contract terms such as credit toward promotion and tenure, faculty rank, and salary in accord with the Personnel Requisition and Authorization (PRA). During the pre-employment interview with the prospective faculty member, the VCAA/R or MBMG Director shall discuss tenure and promotion procedures and criteria, and provide a written copy of Section 206; Section 207; or Section 208 of the Faculty/Staff Handbook as appropriate.
- i. In cases where it is not possible to employ a qualified person with a Doctorate (or other appropriate certification), a person with a Master's degree may be hired. If hired, the contract must spell out the

specific terms under which the person is expected to earn a Doctoral degree or other appropriate certification.

- j. After selection and hiring, the probationary faculty member shall be provided a Faculty/Staff Handbook by the VCAA/R or MBMG Director, and a contract letter explaining any time given toward tenure or promotion, and stating any other special criteria mutually agreed upon. After arrival on campus, the new faculty member shall meet with the VCAA/R or MBMG Director to again review the tenure and promotion process.
- k. The VCAA/R or MBMG Director shall establish and maintain an orientation process for new faculty and ensure that new faculty participate in said program.
- l. The Chancellor is the ultimate appointing authority for all positions at the Institution.

204.2 RECRUITING AND SELECTING PART-TIME FACULTY

In recruiting and selecting part-time faculty, it is the primary responsibility of the Department Head, in consultation with the faculty of the department where the part-time faculty member shall teach, to describe the academic and professional qualifications of the position to be filled. Adjunct faculty shall complete the application process including criminal background checks and credential verification. The VCAA/R shall establish and maintain an orientation process for part-time faculty and ensure that new faculty participate in said program.

After selection and hiring, the probationary faculty member shall be provided a copy of the orientation packet, which will include a copy of the Faculty/Staff Handbook.

205 FACULTY RECORDS

A central file of faculty records, excluding annual evaluations, shall be maintained under the control of the Office of the Chancellor. These records consist of documents associated with the original appointments and subsequent service at the Institution, and are maintained under appropriate security procedures. Annual evaluations shall be kept in the Deans' offices. All employment records are available for inspection by the faculty or professional staff member. However, an appointment must be made in advance for an individual to review his/her personnel file.

206 EVALUATION, TENURE & PROMOTION – NORTH CAMPUS FACULTY

Unless a faculty member is covered by a collective bargaining agreement which covers tenure and promotion, this section applies. Staff of the MBMG are not covered by this section.

Representation on the Committee

A Collegiate Evaluation Committee composed of full-time, tenured, full professors and representative of each college of the Institution and two representatives from the School of Mines and Engineering will be established each academic year. Each academic Dean will arrange for the election of a representative from his/her school/college, no later than October 1 and report the name of the representative to the VCAA/R. In addition, each faculty member being evaluated may select a faculty representative as a voting member of this committee. (This person need NOT be a full professor). Representation of the one additional member, therefore, may differ with each case being evaluated.

Deans, Department Chairs and members of the Academic Freedom and Tenure Committee or of the Grievance Committee, who might hear promotion and tenure appeals or grievance cases, are not eligible for this service.

The VCAA/R will call the first meeting (only) for the Committee to elect its chair.

Task of the Committee

Following the review of the portfolio of the person seeking promotion or tenure (or both) by that individual's department and school/college, including its Dean, the Collegiate Evaluation Committee will examine individual

portfolios and will meet to discuss the materials. Those being evaluated will not be present, but the committee may choose to solicit further information or clarification of information from the individual or his/her colleagues. Ultimately, the committee will write a positive, negative or qualified recommendation to accompany each portfolio under consideration; that packet will then be carried to the VCAA/R for consideration and for the continuation of the evaluation process.

This Committee will not rank or prioritize portfolios being reviewed.

Each faculty member seeking promotion or tenure will be apprised within five days of positive or negative recommendations at each step of this process (i.e., evaluation reports by the Department Head, Dean, Evaluation Committee, VCAA/R), and he or she may modify and strengthen the application portfolio or abandon the process at any intermediate step.

A negative recommendation from the VCAA/R may be appealed to the Academic Freedom and Tenure Committee.

206.1 FACULTY TENURE (BOARD OF REGENTS POLICY 706.1)

<http://mus.edu/borpol/bor700/706-1.pdf>

A tenurable appointment is an appointment to a teaching, research, or other faculty position that may lead to a tenured status as provided for in this section. Tenurable appointments shall be made at the rank of instructor, assistant professor, associate professor, or professor. The tenurable appointment is that of probationary status. The appointee remains in probationary status until the appointment is terminated or tenured status is awarded. Tenurable appointees who are not included in a certified bargaining unit shall be provided with a written agreement specifying rank, salary, academic unit in which the tenurable appointment is made, and other terms and conditions of employment at the time of appointment and reappointment. The campus will normally notify tenurable faculty members of the terms and conditions of their renewals for the coming academic year by May 1 in non-legislative years, or within 60 days after the appropriation bill is signed by the Governor in years the legislature meets.

Unless an individual contract expressly provides to the contrary, the contract term for all tenurable appointees shall be the academic year. Regardless of the term of any individual contract, no such person has, or shall acquire, a right to reappointment for a term in excess of the academic year.

206.1.1 PROBATIONARY APPOINTMENTS

The total time period of full-time service prior to the acquisition of continuous tenure shall normally not exceed seven academic years, which may include up to three years of full-time service in tenurable ranks at accredited, United States four-year institutions of higher education. Up to three years of credit for service at foreign four-year institutions of higher education at the rank of instructor or higher may be granted toward acquiring continuous tenure status by agreement among the faculty member, the academic unit chairperson, the Dean, and the President. Probationary credit for prior service must be agreed to in writing between the faculty member and the President or Chancellor prior to the initial appointment at the Institution. The campus shall require four academic years of full-time service at the campus before making an award of continuous tenure. Time spent on authorized leave of absence from the campus will not count as probationary period service, unless the faculty member and the President or Chancellor of the campus agree to the contrary, in writing, at the time leave is granted.

206.1.2 REAPPOINTMENT & NON-REAPPOINTMENT OF PROBATIONARY PERSONNEL

A tenurable appointee with probationary status (hereinafter referred to as a probationary appointee) has the right to serve the specified term of the appointment and may not be discharged without cause during that term.

Reappointment of probationary appointees shall be at the discretion of the employer. Written notice of non-renewal of a probationary appointee shall be mailed or given by the President or Chancellor or his designee by March 1 of the first year of service, by December 15 of the second year of service, and by June 30 prior to the final year of appointment in the third or later years of service.

Failure to provide a probationary appointee with the required notice period shall not result in automatic reappointment or create any right for an additional term. The employer shall have the option of providing employment or severance pay in lieu of any portion or all of the notice to which the employee is entitled, so long as the extension of employment or severance pay is commensurate with the notice to which the employee is otherwise entitled.

206.1.3 THE AWARD OF TENURE

Tenure is the right to reappointment from appointment term to appointment term until such time as the faculty member resigns, retires, is discharged for adequate cause or is terminated for reasons of financial exigency or program reduction, curtailment or discontinuance. Such reappointment shall be subject to the terms and conditions of employment, which exists at the commencement of each contract term. Those terms and conditions of employment are as expressly set forth in the policies adopted or authorized by the Board of Regents, and the terms and provisions of any applicable collective bargaining agreement. Tenure is with the campus and resides within a specific academic unit in which the faculty member is employed and not with the Montana University System. Tenure is awarded by the Board of Regents, following peer review and recommendation by the President or Chancellor and the Commissioner in accordance with Board of Regents policies and procedures established by each campus.

The review prior to granting tenure and the subsequent recommendation to the Board of Regents will normally be made in the sixth year of employment. While normally the eighth contract of full-time employment carries continuous tenure status, tenure will not be awarded without appropriate review and recommendation by peers and supervisors. Tenure is awarded for quality of current professional performance and promise for such future performance, not merely for completing a certain length of service. It is equally incumbent on the faculty member and the administration to insure that a tenure review occurs at the proper time. In no event shall the failure to give any notice constitute an award of continuous tenure by default. This section does not diminish any substantive rights for the acquisition of tenure, which the faculty member may have acquired prior to the adoption of this policy.

206.1.4 ADMINISTRATIVE POSITIONS

Deans, assistant deans, directors, heads of departments, chairpersons, and any other persons performing administrative functions serve in those capacities at the discretion of the President or Chancellor and may be removed at any time. Any such individual may be reassigned to other duties for the balance of the individual contract term or terminated for cause. In cases of the non-renewal of an administrator's employment contract, the notice provisions of Board Policy 711.1 shall apply. However, if an individual is discharged from an administrative position for cause, those notice provisions shall not apply.

Faculty who are appointed to administrative positions do not have tenured status with respect to those positions, the salary of the position, the term (AY/FY) of contract, or any other provisions of prerequisites of that administrative position. In the event any of the foregoing individuals have tenured status in an academic position, and are removed or resign from an administrative position, but wish to remain employed at the campus, they will be employed under the same conditions and contractual terms as other tenured faculty. Their initial salary as a faculty member shall be set at an amount determined by negotiations between the faculty member and the President or his designee. In the event agreement cannot be reached, the salary shall not be less than the average salary for faculty members of like rank and qualifications in the same academic unit in which the individual holds tenure.

206.2 PROCEDURES TO APPLY FOR TENURE

Tenure is awarded by the Board of Regents following peer review and recommendation by the Chancellor, President and the Commissioner in accordance with Board of Regents policies and procedures established by each institution.

The granting of tenure shall be based on a combination of institutional needs and professional performance of the individual.

Institutional faculty needs require that the Institution maintains a balance of faculty with respect to subject areas, and in some cases, specializations within a subject area; a balance of faculty within a program in relation to the number of faculty in the Institution; and a staffing pattern which meets changing student enrollment patterns.

Providing that an individual fits within the institutional needs and the quality of current professional performance and the promise of future performance warrants, a faculty member shall be awarded tenure based upon policies adopted by the Board of Regents of Higher Education of the State of Montana (see Section 206.1).

Faculty members seeking tenure shall prepare a summary evaluation portfolio according to the criteria given in Section 206.4, Performance Evaluation, and submit it, together with supporting documentation, to their respective Department Head.

A faculty member may not be evaluated for tenure while on leave from Montana Tech. If a faculty member is on leave during the year in which tenure evaluation would normally occur, then the evaluation shall be postponed until the next year.

206.2.1 MIDTERM TENURE EVALUATION

During the third year, or in the second year if two or more years are awarded towards tenure, the evaluation portfolio shall be evaluated at each administrative level including the Collegiate Evaluation Committee and forwarded to the Chancellor. The Chancellor shall give feedback to the faculty member on his/her progress towards tenure.

206.2.2 PEER/COLLEAGUE REVIEW OF FACULTY PERFORMANCE

Prior to the end of each academic year, the tenured members of each academic program shall be requested by the Department Head to provide an assessment of the progress toward tenure of each probationary faculty member with teaching responsibilities within that program using the form attached as Appendix B to the Handbook. The Department Head shall present a summary of those assessments to the appropriate faculty member each year of probationary service. The faculty member may include these statements of assessment in his/her formal application for tenure at the end of the normal period of probationary employment.

In unusual circumstances (e.g., a program with no tenured faculty members or a Department Head who is not tenured), the assessment proceedings shall be conducted by the Dean in appropriate consultation with the members of the Department and its Department Head.

206.2.3 RESPONSIBILITIES OF THE FACULTY MEMBER AND THE ADMINISTRATION

The faculty member is responsible for assembling a file, which contains items to support the criteria being evaluated as well as the results of student ratings for the previous six semesters, and presenting this material to the respective Department Head during the sixth year of creditable service at Montana Tech. For deadlines see Section 206.5. At any stage during the evaluation process, additional information may be requested by the school/college Dean, the Collegiate Evaluation Committee, the VCAA/R, the Chancellor or the President.

The Department Head is responsible for his/her statement of evaluation (see Appendix C of the Handbook), as well as obtaining a written evaluation concerning the award of tenure from each of the tenured members of the department, and submitting the total file and statements to the Dean. Upon completion of his/her critique, the portfolio shall then be submitted to the Collegiate Evaluation Committee and then forwarded to the VCAA/R.

The VCAA/R reviews the total file and the prior annual evaluations and prepares a written statement on tenure and adds it to the file. The total file is then transmitted to the Chancellor. The Chancellor shall complete his/her evaluation of the faculty member and send an abstracted file to the President with a recommendation.

The final recommendation on tenure is made by the President based upon the total file and the results of previous annual evaluations. A copy of the President's recommendation on tenure to the Board of Regents shall be provided to the candidate for tenure.

A faculty member may appeal a negative tenure recommendation to the Academic Freedom and Tenure Committee within 15 days of receipt of notification of the President's proposed action. The Committee shall make an inquiry and prepare a formal report to the President that shall be transmitted through the Chancellor. The President's recommendation and the Committee's report shall be forwarded to the Commissioner of Higher Education if agreement is not reached on campus. The individual may appeal the President's decision to the Commissioner of Higher Education within 30 days of the President's final decision. The conditions for such an appeal are listed in Section 211.

206.3 PROCEDURES TO APPLY FOR PROMOTION IN RANK

206.3.1 ACADEMIC RANK

Montana Tech recognizes the following academic ranks:

206.3.1.1 INSTRUCTOR

The rank of Instructor is generally reserved for those who teach lower-division and certificate-level courses. While levels may be available within the rank, it is not normally expected that an instructor would become a Professor. Teaching excellence and continued effort and accomplishment in the areas of professional development and service are expected for continued employment.

Faculty approved the following ranks at the April 26, 2005 Faculty Meeting:

- Level I: No degree through *appropriate* Bachelor's degree.
- Level II: Either an appropriate Master's degree or an appropriate Bachelor's degree with five (5) years of full-time related teaching or occupational experience.
- Level III: Appropriate doctorate degree or a Master's degree and five (5) years of full-time related teaching experience at an accredited post-secondary institution.

206.3.1.2 ASSISTANT PROFESSOR

Assistant Professor is the normal entry-level rank for faculty associated with the baccalaureate and graduate programs. An Assistant Professor at the time of initial employment is not expected to possess a great deal of expertise in research, teaching and service, but the potential must exist for rapidly developing excellence in these areas.

206.3.1.3 ASSOCIATE PROFESSOR

The rank of Associate Professor designates those who have achieved considerable expertise in research, teaching and service and are making a significant contribution in their field. Competence and accomplishment in all areas of evaluation are necessary for promotion to the rank of Associate Professor.

206.3.1.4 PROFESSOR

The rank of Professor is reserved for those who have reached the top of their profession. In order to be promoted to the rank of Professor, it shall be necessary for a candidate to demonstrate excellence in two of three areas evaluated (teaching, research and service). Good effort and accomplishment must be demonstrated in the third area.

A faculty member without a terminal degree may be considered for promotion to full professor if he/she demonstrates excellence in the areas of teaching, service and research.

206.3.2 YEARS OF SERVICE REQUIREMENTS

The following number of complete academic years of full-time service shall normally be required in rank prior to promotion. For promotion purposes, a complete academic year is defined as two semesters of the regular instructional sessions, not necessarily in the same catalog or calendar year.

Assistant to Associate Professor	4 years
Associate to Full Professor	5 years

206.3.3 APPLICATION PROCESS AND ASSESSMENT

Promotion in rank shall require the assessment of instructional performance, research and professional development, institution and public service, and progress toward a terminal degree (by those not holding such a degree) following the criteria and guidelines contained in Section 206.4. It is the applicant's responsibility to minimize the subjective or qualitative information in an application for promotion by providing clear, concise statements of fact supported by quantitative evidence wherever appropriate and normally available. Further, it is the faculty member's obligation to demonstrate meeting the requirements for promotion by submitting a complete, timely application that fully addresses the requirements and criteria. **Incomplete or late applications shall not be considered.** All applications for promotion shall be acted on by the Chancellor.

The completed application file is transmitted through the faculty member's Department Head, Dean, the Collegiate Evaluation Committee and the VCAA/R. Each shall make a recommendation. The VCAA/R shall make a recommendation to the Chancellor. If the Chancellor recommends for promotion, the file shall be forwarded to the President. In the case of an affirmative decision by the President, the promotion shall be submitted to the Commissioner of Higher Education.

A faculty member may appeal a negative decision by the Chancellor or the President to the Academic Freedom and Tenure committee within 15 days of receiving the notification.

206.3.4 ACCELERATED PROMOTION

Under extraordinary circumstances, a faculty member may be considered for accelerated promotion either one or two years earlier than the normally requisite time in rank. Such promotions shall be granted only rarely. Department Heads shall have responsibility for nominating extremely meritorious faculty members to their Dean according to the above criteria. Deans formally request that the VCAA/R consider an accelerated promotion for the specified faculty member and communicate to that faculty member his/her opportunity to assemble a promotion file. From that time, the accelerated promotion procedure shall proceed in the normal fashion hereafter.

206.4 PERFORMANCE EVALUATION: FULL-TIME FACULTY, PART-TIME FACULTY, AND DEANS

Evaluation of faculty members and program administrators at Montana Tech is an evolving process principally focused on insuring excellence in improvement of teaching and learning, research and public and professional service. It is the responsibility of the faculty member to initiate evaluation procedures: 1) annually, for faculty with probationary appointments, as well as assistant and associate professors; 2) every third academic year for full professors 3) each semester that a part-time faculty member teaches. Full professors to be evaluated in a given year will be notified by the VCAA/R.

206.4.1 EVALUATION OF FULL-TIME FACULTY

Faculty members shall be expected to prepare an evaluation portfolio following the guidelines listed below for evaluation of instructional performance, research and professional development, and institution and public service, as well as progress toward terminal degrees by those not holding such degrees and submit it to the respective Department Head. Using the evaluation portfolio as a guide, the Department Head shall interview each faculty member in his/her area to discuss the faculty member's evaluation portfolio, professional concerns and

goals for the ensuing evaluation period, as well as student concerns that may have surfaced during the student rating of the instruction process. Identified strengths in some areas can offset weaknesses in other areas.

The Department Head and the faculty member shall prepare a written statement that summarizes the faculty member's performance evaluation for the previous two semesters using the form contained in Appendix C of the Handbook. After being signed by both parties, this document becomes part of the personnel record. The evaluation portfolio along with the completed form (Appendix C) shall be forwarded to the appropriate Dean, who shall keep a permanent record of all evaluations.

Each faculty member seeking promotion or tenure shall be apprised within seven days of positive or negative recommendations at each step of this process (i.e., evaluation reports by the Department Head, Dean, Evaluation Committee, VCAA/R). He or she may modify and strengthen the application portfolio or abandon the process at any intermediate step.

Full-time faculty members preparing an annual evaluation or applying for tenure (see Section 206.2) or promotion (see Section 206.3) shall prepare an evaluation portfolio with documentation to be evaluated in each of the categories (1-4) listed in 206.4.C below.

206.4.2 EVALUATION OF PART-TIME FACULTY

Part-time faculty members shall be expected to prepare an evaluation portfolio following the guidelines listed below for evaluation of their **instructional performance only**. This must be submitted to the Department Head for evaluation.

206.4.3 EVALUATION PORTFOLIO

1. Instructional Performance

Instruction and learning are central to the mission of the Institution. The goal of instructional performance review is to help an individual to improve his/her teaching and to ensure excellence in teaching across the Institution.

Where instruction is not the primary duty of a faculty member, evaluation of instructional performance shall be in line with the amount of teaching done.

a. *Required Evaluation Materials*

- Narrative self-report, identifying goals which were established during the previous evaluations and which have been discussed with the Department Head, along with a statement of progress toward those goals during the current evaluation period;
- Identification of both the courses and the number of students enrolled in courses taught during the previous two semesters; and
- Student-Rating of Instructional Performance of Faculty;
 - Every individual responsible for a course shall have a student evaluation conducted of the instructor and course every semester.
 - The method used shall be approved by the College/School Dean and the VCAA/R.
 - All student-rating forms must solicit information about their methods of delivery of instruction, their assessment of instruction (tests, etc.) and their availability to students. Student rating forms are NOT limited to these areas of concern.
 - The student evaluation for each course should include responses from a majority of the enrolled students.

- The faculty member shall include a copy of the instrument and summarize the results of the student evaluations for each course taught in their evaluation portfolio. The department shall also maintain the originals on file for review, if requested.

All faculty members are encouraged to use the Small Group Instructional Diagnosis (SGID) procedure, or a similar mid-term evaluation or procedure, in at least one course each semester. Ideally, this procedure should be used about mid-term in the semester.

b. *Additional Evaluation Materials*

Other materials that may be included with the instructional performance evaluation materials:

- Peer evaluations for non-tenured members from faculty that have observed classes and reviewed teaching materials for courses given by the instructor. This should be a short report on the instructor's effectiveness in the course.
- Letters written by former students or graduates. These letters should be solicited by the Department and should address the lasting effects of the instructor's courses on the student.
- Documentation of innovation in teaching methods. This may include teaching awards or materials demonstrating curriculum development.

c. *Criteria for Evaluation of Instructional Performance*

- Generally supportive and positive student evaluations from the majority of students who have been instructed by the faculty member during the six semesters of instruction prior to application. Evaluation information from less than 80% of the students instructed may be viewed as incomplete support for the application.
- A clear indicator that the faculty member has successfully attempted to improve instructional performance in light of student input and/or an improvement program in which the faculty member's immediate supervisor has participated. Identified goals and accomplishments are important to evaluating this performance measure.

2. Research and Professional Development

The development of new knowledge is a necessary part of the professional life of all faculty members and is a central part to professional development. Performance review of research and professional development is carried out to assist a faculty member in these activities and to ensure that the faculty at Montana Tech maintains the professional competence necessary to perform their duties at the highest possible level.

a. *Required Evaluation Materials*

Narrative self-report identifying the faculty member's professional development and contributions to research in the last five years since hiring or any previous tenure or promotion action if less. Areas covered must include, but are not limited to:

- Publications, presentations or book chapters written;
- Research and research contacts;
- Proposals submitted with an indication of funding;
- Formal study or other creative work;
- Attendance at professional meetings including presentations given; and,
- Progress toward another degree.

Where appropriate, the faculty member's contribution to papers and proposals should be described.

b. *Additional Evaluation Materials*

Other materials that may be included with the research and professional development performance evaluation materials:

- A set of publications and/or articles that represents the faculty members best efforts to advance their discipline.
- Confidential external letters of evaluation. These letters must be requested by the department and address the professional potential and accomplishments of the faculty. **These letters are required in the years a faculty member applies for promotion and/or tenure.**

c. *Criteria for Evaluation of Research and Professional Development*

- Active participation in research and/or scholarly activity as evidenced by published work, presentations to professional or peer groups, principal investigator or lead individual on contracts/grants, principal author of successful contracts/grants, patents or licenses held or awarded, and related activity as a major, not incidental, contributor;
- Supervising or advising graduate student research, chairing thesis research committees, and/or significant contribution to Tech graduate research and academic programs;
- Certification, license, or recognized credential in a field or professional discipline relevant to the faculty member's Tech assignment obtained by examination or by some equivalent rigorous demonstration of professional competence and expertise; and
- Demonstration of continuing commitment to enhance and increase professional knowledge and capabilities through professional meeting attendance and participation, short courses and workshops completed, and related professional development activity.

3. Service to the Community, the Institution, and the Profession

All faculty members are expected to serve their community, their institution, and their profession. While instruction, scholarship, and research are themselves forms of service, this criterion assumes that, like professionals in other fields, faculty are expected to contribute their expertise more directly to meet the needs of the local community, the Institution, and the profession of which they are a part. This criterion reinforces the key concept articulated above under Section 202, "Academic Freedom," that *the college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution.*

Evaluation of service aims to assess the diversity, the level of activity, and the significance of the faculty member's contributions beyond the scope of instructional and research performance.

a. *Required Evaluation Materials*

Narrative self-report identifying the faculty member's service contributions since hiring or since any previous tenure or promotion action. This report must consider service to the community, the Institution, and the profession. The following lists exemplify (but do not restrict) the sorts of activities that may meet this criterion.

Service to the Community

- Contributing professional expertise to community groups and activities;
- Participating in campus outreach efforts that support community needs; and

- Engaging students in community-based learning activities that promote both civic responsibility and the application of academic instruction to practical settings.

Service to the Institution

- Committee participation, with emphasis on contributions rather than membership only;
- Support for institution-sponsored or institution-related activities;
- Student advising of new and/or returning students, and of student groups;
- Prospective student recruitment/retention advising;
- Assistance in placement of new graduates and alumni; and
- Non-remunerated service to academic or administrative units not articulated under instruction or research.

Service to the Profession

- Contributions to professional societies in one's discipline;
- Contributions to professional societies or organizations devoted to improving higher education; and
- Leadership roles at the local, regional, national, or international levels of professional organizations.

b. *Criteria for Evaluation of Institution and Public Service*

- Active mentoring, advising, and assisting students and/or student groups or in helping ensure the success of students in such areas as placement, internships, recruitment, tutoring, etc.;
- Active participation and contribution to campus committee activity, study groups, task groups, or other campus wide groups or activities in which faculty participation is solicited, requested, or voluntary;
- Significant contribution to academic planning and curricular development, quality enhancements, and response to emerging academic needs such as in program review, distance learning, new program development, improved learning and teaching methodology development, etc.; and
- Recognized contribution to the local community, professional groups, charitable organizations, and/or recognized local, state, and/or national organizations as evidenced by offices held, awards or other recognition received, or other tangible evidence of significant contributions.

4. Progress Toward Terminal Degree by Those Not Holding Such Degree

In all academic areas except the fine arts and library science, only doctoral level work is accepted within the academe as a terminal degree.

a. *Required Evaluation Materials*

- Self-report explaining progress made toward terminal degree.

b. *Criteria for Evaluation of Progress Toward a Terminal Degree*

All faculty are urged to complete a terminal degree from an accredited institution in their chosen field of study and that supports their instructional assignment at Montana Tech.

206.4.4 REQUEST FOR PEER REVIEW OF EVALUATION FOR RECONSIDERATION OF EVALUATION RESULTS

Faculty members may request reconsideration of the results of their evaluations to the VCAA/R who shall appoint a faculty committee of three consisting of one faculty member selected by the VCAA/R from a list of three submitted by the faculty member, one member selected by the VCAA/R from a list of three submitted by the Dean, and one member selected by the VCAA/R from the faculty at large. The faculty committee shall review the appropriate documents and the subsequent recommendations of the Dean and the evaluation committee **prior to** the submission of a recommendation to the VCAA/R. The VCAA/R shall determine the results of the request for reconsideration. The individual may subsequently request a review by the Chancellor of the recommendations of the Dean, peer review committee and VCAA/R.

If a faculty member feels that there is an issue of unlawful discrimination in the tenure/promotion review process, the faculty member may solicit advice from the Affirmative Action Officer in regards to possible grievance actions or file a formal grievance in accordance with established policies. The VCAA/R determination may be appealed within 15 days of notification to the Academic Freedom and Tenure Committee.

206.4.5 EVALUATION OF DEPARTMENT HEADS (CHANGES APPROVED AT MAY 3, 2006, FACULTY MEETING)

Department Heads shall be evaluated annually by the Dean to assure the highest possible level of effectiveness. One important component of the evaluation includes input from the department faculty. The evaluation shall consist of:

1. An evaluative questionnaire which shall be sent to all members of the department and to others from areas which closely interact with the individual under evaluation. The collective input from the faculty in the department will be shared with the Department Head;
2. Invitation from the Dean to all members of the department and others the Department Head works closely with in carrying out the job responsibilities to participate in confidential personal interviews; and,
3. The Dean will discuss the results of the evaluation with the individual Department Head.

At a minimum, evaluation criteria shall include consideration of:

1. The demonstrated ability of the Department Head to command respect as an academic administrator and to effectively represent the academic program to the administration and vice-versa.
2. Demonstration of ability to interact with faculty and peers in a fair and equitable fashion;
3. Demonstration of a commitment to the growth and continuing improvement of the quality of the academic program (both research and instruction) of the department; and,
4. Ability to perceive the role of the department in the Institution as a whole and to facilitate the interaction of the department in institutional growth.

Department Heads may request reconsideration of their evaluations by the VCAA/R.

206.4.6 EVALUATION OF DEANS (CHANGES APPROVED AT MAY 3, 2006, FACULTY MEETING)

Deans represent both the academic faculty and the administration. They carry responsibility for maintenance and growth of the academic programs of the college or school.

Deans are appointed by the Chancellor in consultation with the VCAA/R and members of their relevant academic programs. Deans do not have tenure in the administrative component of their appointment.

To ensure that the administration of the academic programs is conducted in a fashion which best serves the Institution, Deans shall be evaluated annually by the VCAA/R in accordance with the following guidelines:

The principal justification for evaluation of Deans is assurance of the highest possible level of effectiveness.

Evaluation shall be conducted by the VCAA/R will consist of:

1. An evaluative questionnaire which shall be sent to all faculty members of the college and to others representing areas which closely interact with the individual under evaluation. The collective results of the input from the Department Heads in the college will be shared with the Department Heads;
2. Invitation from the VCAA/R to all faculty of the college and others the Dean works closely with to participate in confidential personal interviews;
3. The VCAA/R will personally discuss the results of the evaluation with the respective Dean.

At a minimum, evaluation criteria shall include consideration of:

1. The demonstrated ability of the Dean to command respect as an academic administrator and to effectively represent the academic program to the administration and vice versa.
2. Demonstration of ability to interact with faculty and peers in a fair and equitable fashion.
3. Demonstration of a commitment to the growth and continuing improvement of the quality of the academic programs (both research and instruction) of the college.
4. Ability to articulate the role of the college/school in the Institution as a whole, and to facilitate the interaction of the college/school in institutional growth.
5. Demonstration of effective fund-raising and/or acquisition of other outside support.

Deans may request reconsideration of their evaluations to the Chancellor.

206.5 EVALUATION, TENURE AND PROMOTION DEADLINES

This schedule of deadlines is followed by all assistant and associate professors yearly. Full professors complete performance evaluations every third year. All portfolios must follow the guidelines outlined in Section 206.4.

206.5.1 FACULTY TENURE/PROMOTION

This section applies to tenured or probationary faculty applying for promotion or tenure.

ON or BEFORE:

September 20	Faculty wanting tenure/promotion notifies the Department Head of intent in writing. Accelerated promotions are also identified at this time.
October 1	Faculty sends tenure/promotion portfolios to Department Heads.
November 1	Department Head sends tenure/promotion portfolio to Deans.
December 1	Deans forward the tenure/promotion portfolio to the Collegiate Evaluation Committee.
February 21	The Collegiate Evaluation Committee sends faculty tenure/promotion portfolios to VCAA/R.

March 15	VCAA/R sends faculty tenure/promotion portfolios to Chancellor with written recommendations.
April 1	Faculty tenure/promotion recommendations made by Chancellor and sent to the President for approval.
April 15	Notification of the President's tenure/promotion decisions provided to faculty candidates.

206.5.2 TENURED OR PROBATIONARY FACULTY – EVALUATION ONLY

This section applies to tenured or probationary faculty not applying for tenure or promotion.

ON OR BEFORE:

February 1	Tenured or probationary faculty <u>not</u> applying for tenure or promotion submit their annual evaluation portfolios to Department Heads. Probationary faculty who are Department Heads send their annual evaluation portfolios to Deans.
March 15	Department Heads provide faculty with assessment summary on progress toward tenure.

207 EVALUATION, TENURE AND PROMOTION – COLLEGE OF TECHNOLOGY (COT)

207.1 FACULTY TENURE

Tenure is the right to annual renewal of employment from academic year to academic year except in cases of termination for cause or layoff. Tenure is specific to this institution and not with the Board of Regents or any entity other than this institution.

Tenure is awarded by the Board of Regents, following peer and administrative review and recommendation by the President in accordance with procedures established by this institution.

The review prior to granting tenure and the subsequent recommendation to the Board of Regents will normally be made in the fifth year of employment. Four academic years of full-time service at the Institution are required before an employee is eligible to make application for tenure. While normally the sixth contract of full-time employment carries continuous tenure status, unless the faculty member is given notice of termination, tenure will not be awarded without appropriate review and recommendation by peers and supervisors. Tenure is awarded for quality of current professional performance and promise for such future performance, not merely for completing a certain length of service. It is equally incumbent on the faculty member and the administration to insure that a tenure review occurs at the proper time. Failure to give notice does not constitute an award of continuous tenure by default.

Just cause will be the standard for the termination of tenured employees except in the case of layoff.

Only full-time employees are eligible for tenure. A full-time employee who is tenured and is reduced to a part-time status but remains in the bargaining unit shall retain tenure at the reduced level. Employees who are notified at the time of hire and rehire that their positions are temporary are ineligible to apply for tenure.

Contract language supercedes these provisions.

207.1.1.1 ELIGIBILITY FOR TENURE APPLICATION

A probationary appointee shall be eligible to make an application for tenure after the appointee has accumulated five years of teaching experience, at least four of which have been accumulated at the College of Technology (COT). Tenure shall not be awarded if the eligible faculty member failed to submit application nor if the employer failed to approve tenure. Application for tenure must be in accord with agreed-upon standards.

207.2 PROCEDURES TO APPLY FOR TENURE – COT FACULTY

Procedures for the evaluation of tenure application shall be conducted according to the agreed-upon standards stated in this document and faculty evaluation procedures. It shall be the responsibility of the eligible faculty member to initiate the tenure application that will include the following:

- A statement of teaching, curriculum/course development, student outcomes assessment (laboratory/shop/clinical facility), equipment organization, advising, and recruitment management activities performed by the applicant during the probationary period;
- A vita of the applicant’s educational and occupational professional development efforts; business and industry liaison activities; achieved recognition in education, business or industry; and involvement in education, business, and/or industry professional organizations;
- A statement(s) identifying the applicant’s service to the public, students, and institution; and
- Any other information the applicant deems relevant to his/her professional development, competence, or performance.

207.2.1 COLLEGIATE EVALUATION COMMITTEE

College of Technology Collegiate Evaluation Committee will be comprised of department heads and elected and appointed members. Each department head will arrange for the election of a representative from his/her department no later than October 1 and report the name of the representative to the COT Collegiate Evaluation Committee. In addition, each faculty member being evaluated may select a faculty representative as a voting member of this committee. The COT Dean will call the first meeting (only) for the committee to elect its chair.

Any COT Collegiate Evaluation Team Member may choose to elicit further information or clarification of information from the individual requesting tenure or from their colleagues. Ultimately, the committee will write a positive or negative recommendation.

207.2.2 APPLICATION PROCEDURE

Tenure will require the assessment of instructional performance, professional development, and institution and public service following the criteria and guidelines. It is the applicant’s responsibility to minimize the subjective or qualitative information in an application for tenure by providing clear, concise statements of fact supported by quantitative evidence wherever appropriate and normally available. Further, it is the faculty member’s obligation to demonstrate meeting the requirements for tenure by submitting a complete, timely application. Application forms are available in the Dean’s Office. Incomplete or late applications will not be considered.

207.2.2.1 DEADLINES

On or before:

September 20	Faculty wanting tenure notify Dean of the College of Technology in writing of their intent.
November 1	Faculty send their tenure portfolios to the Dean of the College of Technology.
December 1	The COT Dean forwards faculty tenure portfolios to the Collegiate Evaluation Committee.
February 21	Collegiate Evaluation Committee sends faculty tenure portfolios back to COT Dean who forwards portfolios to the VCAA/R.
March 15	The VCAA/R sends faculty tenure portfolios to the Chancellor with written recommendations.

April 1	Faculty tenure recommendations are made by the Chancellor and sent to the President for approval.
April 15	Notification of the President's tenure decisions provided to the faculty candidates.

Each faculty member seeking tenure will be apprised in writing within five days of positive or negative recommendations at each step of this process. Justification regarding negative recommendations will be clearly identified. The applicant will be given the opportunity to modify and strengthen the application portfolio and may abandon the process at any intermediate step.

207.2.3 APPEAL PROCESS

A negative recommendation may be appealed to the Union Management Committee. The committee will review portfolios and give a written response to the applicant within five working days. If the committee gives a positive response, the portfolio will be resubmitted to the next evaluator.

A negative recommendation by the Vice Chancellor for Academic Affairs and Research may be appealed to the Union Management Committee. Such appeal must be made within 15 days of notification to the applicant of the tenure decision. The committee will review portfolios and give a written response to the applicant and a written recommendation to the Chancellor within five working days.

If a management or faculty member of the Union Management Committee is involved in any step of the tenure process, he/she will be ineligible to serve on the committee hearing the appeal. The Union Management Committee will appoint a temporary replacement for this assignment.

207.2.4 ACTIVITIES

In addition to the year's requirement for tenure, the following five areas and the activities that are contained in each are a part of the tenure process. Of the five areas, a minimum of one activity in each of the areas must be represented in the applicant's portfolio and a minimum of 10 activities total must be included.

207.2.4.1 STUDENT/FACULTY INTERACTION

- Classroom performance (student/faculty evaluations).
- Student advising and mentoring.
- Student outcomes assessment.

207.2.4.2 COURSE/CLASSROOM DEVELOPMENT AND PREPARATION

- Facility organization and management of a lab/shop/clinic.
- Innovative use of instructional equipment, organization and management.
- Development and revision of curriculum and course material.
- Activity(s) involving innovative instructional techniques.

207.2.4.3 CAMPUS-RELATED ADVISORY BOARDS, COMMITTEES AND SERVICE

- Scholarly activity(s) such as applied research, source funding, presentations, publications and publisher book reviews.
- Achieved recognition in education, business, industry or in an occupation as evidenced by licensure or certification.

- Serving on advisory boards, service on campus committees, and/or awards recognizing service accomplishments.
- Award(s) and/or recognition for on-campus accomplishments and service.

207.2.4.4 COMMUNITY-RELATED ADVISORY BOARDS, COMMITTEES AND SERVICE

- Serving on advisory board(s), off-campus service, and committee(s).
- Award(s) and recognition for off-campus accomplishments and service.
- Participation in professional organizations--educational, business, industry and/or occupational.

207.2.4.5 PROFESSIONAL DEVELOPMENT

- Consulting and other activities with business and industry and other community organizations.
- Professional development activities—educational, occupational and outside work for agencies.

207.3 PROCEDURES TO APPLY FOR PROMOTION IN RANK – COT FACULTY

207.3.1 COT FACULTY PROMOTION APPLICATION

Promotion in rank will require the assessment of instructional performance, professional development, college and public service, and progress toward a terminal degree (by those not holding such a degree) following the criteria and guidelines. It is the applicant’s responsibility to minimize the subjective or qualitative information in an application for promotion by providing clear, concise statements of fact supported by quantitative evidence wherever appropriate and normally available. Further, it is the faculty member’s obligation to demonstrate meeting the requirements for promotion by submitting a complete, timely application that fully addresses the requirements and criteria. Application forms are available in the Dean’s Office. Incomplete or late applications will not be considered.

207.3.2 COT FACULTY PROMOTION DEADLINES

ON or BEFORE:

September 20	Faculty wanting promotion notify Dean of the College of Technology in writing of their intent.
November 1	Faculty send their promotion portfolios to the Dean of the College of Technology.
December 1	The COT Dean forwards faculty promotion portfolios to the Collegiate Evaluation Committee.
February 21	Collegiate Evaluation Committee sends faculty promotion portfolios back to COT Dean who forwards portfolios to the VCAA/R.
March 15	The VCAA/R sends faculty portfolios to the Chancellor with written recommendations.
April 1	Faculty promotion recommendations are made by the Chancellor and sent to the President for approval.
April 15	Notification of the President’s promotion decisions provided to the faculty candidates.

207.3.3 COT FACULTY PROMOTION REQUIREMENTS

Listed are the specific years of service and educational attainments necessary for promotion considerations. For promotion purposes, a complete academic year is defined as two sequential semesters of regular instructional sessions.

Level I	No degree through Bachelor's degree.
Level II	Appropriate Bachelor's degree plus 510 hours of approved professional development activity and five (5) years of full-time related teaching or occupational experience, or Five (5) years at Level I plus 510 hours of approved professional development activity for faculty on an approved professional development plan which allows for an alternative route.
Level III	Appropriate Master's Degree, and ten (10) years of full-time related teaching or occupational experience, five (5) of which must be in an instructional position at a regionally accredited post-secondary institution, or Five (5) years at Level II plus 570 hours of approved professional development activity for faculty in an approved professional development plan which allows an alternative promotion route.
Level IV	Appropriate Master's degree and five (5) years at Level III plus 720 hours of approved professional development activity, or Appropriate doctorate degree and five (5) years at Level III plus 570 hours of approved professional development activity.
Half Level II	Employees who do not meet the degree requirements for promotion to Level II may apply for a Half Level II promotion by exception when they have five (5) years of full-time related teaching or occupational experience and have completed at least half of the requirements of an appropriate Bachelor's degree or have graduated from an approved professional school which is equivalent to at least two (2) years of post-secondary education when such professional school alternative is approved by the Dean, President or designee and the local Union Management Committee.

All Professional development activity used to meet threshold criteria for promotion must be approved by the employer. The approval process for each campus location shall be communicated to faculty. Prior approval is recommended. If a faculty member's request for approval of a professional development activity is denied, the faculty member may appeal the denial to the Faculty Administration Committee or an alternative process agreed upon by the parties, but may not appeal such denial through the contractual grievance procedure.

Activities include experiences that advance a faculty member's professional (educational and occupational) skills, knowledge and abilities, and experiences that maintain a faculty member's currency with technology and

practices in education and/or the occupation(s) for which they prepare/educate students for employment or further education. Participation in these experiences usually results in curricular changes or increased teaching effectiveness. These experiences are usually gained through participation in activities such as, but not limited to, college coursework; business and industry-conducted training; professional organization workshops and conferences; seminars; etc.

Thirty hours of professional development activity equals one semester credit of college coursework. A combination of approved college coursework and other types of approved professional development activity may be used to meet threshold criteria.

The hours of professional development activity specified for each level must have been completed since the faculty member's initial hire or last promotion, whichever is later.

The employer may award credit toward the fulfillment of the hours of professional development required for promotion for work experience. Some work experience may not qualify.

Part-time teaching experience will be recognized on a pro rata basis. For example, a faculty member who teaches half-time for ten years will be credited with five years of full-time teaching experience.

New faculty are typically placed no higher than Level II at the time of hire. However, in extraordinary circumstances a newly hired faculty member may be placed at Level III by the employer after consultation with the members of the search committee.

The employer reserves the right to deny a faculty member's application for promotion or tenure for the sole reason that the faculty member has not obtained an appropriate undergraduate or graduate degree. Faculty hired in FY 2001 and thereafter will be informed in writing by the employer of this requirement at the time of hire.

Promotions become effective at the beginning of the academic year following the year the promotion review took place but shall not be implemented until after the ratification of a successor agreement. Faculty may submit an application for promotion during the year in which they meet the eligibility criteria. If five years of experience are required, the application may be made during the fifth year.

For faculty with an appropriate doctorate who are seeking promotion to Level IV, some or all of the required hours of professional development activity may be met through approved service or approved scholarly activity.

Meeting threshold education and experience requirements specified in subsection A is not sufficient in itself to warrant promotion. Promotion to a higher level also requires application by the faculty member and documentation of positive contributions to the College of Technology. The following activities will be given consideration in evaluation for purposes of promotion:

- classroom performance;
- facility organization and management of a lab/shop/clinic;
- instructional equipment organization and management;
- development and revision of curriculum and course material;
- student advising;
- student outcomes assessment;
- activities involving innovative instructional techniques;
- scholarly activity such as applied research, presentations and publications;
- professional development activities—educational and occupational;
- achieved recognition in education, business, and industry or in an occupation as evidenced by licensure or certification;

- participation in professional organizations—educational, business and industry, occupational;
- consulting and other activities with business and industry, and other community organizations; and
- serving on advisory boards, outside work for agencies, service on campus committees, and awards recognizing service accomplishments.

A major consideration is reasonable evidence or expectation that the faculty member’s instructional efforts, as well as scholarly and service efforts, will continue at acceptable levels once the promotion is awarded. Evidence of higher levels of performance is required for promotion to each advanced rank.

207.3.4 COLLEGIATE EVALUATION COMMITTEE (COT BARGAINING UNIT)

A Collegiate Evaluation Committee comprised of the Dean of the College of Technology and three full-time instructors, one from each academic department, will be established each academic year. Each academic department shall select a representative no later than December 1 and report the name of the representative to the Dean of the College of Technology. The department representative may not be a current applicant for promotion.

The task of the Committee will be to meet and examine applicant portfolios. Those presenting portfolios will not be present, but the Committee may choose to solicit further information or clarification of information from the individual. The Committee will not rank or prioritize portfolios being reviewed. The Committee will write a positive, negative, or qualified recommendation to accompany each portfolio under consideration. That packet will then be carried to the Vice Chancellor for Academic Affairs and Research for consideration and for the continuation of the evaluation process.

207.3.5 APPEAL PROCESS

Each faculty member seeking a promotion will be appraised in writing within five days of a positive or negative recommendation at each step of this process. Justification regarding negative recommendations will be clearly identified. The applicant will be given the opportunity to modify and strengthen the application portfolio or abandon the process at any intermediate step.

A negative recommendation by the Vice Chancellor for Academic Affairs and Research may be appealed to the campus Union Management Committee. Such appeals must be made within 15 days of notification to the applicant of the promotion decision. The committee will review portfolios and give a written response to the applicant and a written recommendation to the Chancellor within five working days.

If a management member of the Union Management Committee is involved in any step of the promotion process, he/she will be ineligible to serve on the committee hearing the appeal, and will appoint a temporary management replacement for this assignment.

If a faculty member of the Union Management Committee is appealing a promotion decision, he/she will be ineligible to serve on the committee hearing the appeal, and will appoint a temporary faculty replacement for this assignment.

208 CLASSIFICATION AND PROMOTION – MONTANA BUREAU OF MINES AND GEOLOGY PROFESSIONAL FACULTY AND STAFF

208.1 INTRODUCTION

The Montana Bureau of Mines and Geology (the Bureau) is a department of Montana Tech of The University of Montana and a state service agency, and is a primary provider of applied research and technical assistance on the geology and water resources of the state of Montana. Education and outreach services provided by the Bureau serve citizens, agencies, and organizations across the state but do not lead to academic degrees.

The Bureau is served by a professional staff having a wide range of professional skills, interests, and responsibilities. Thus, different staff members may have very different assignments in terms of research/creative activity, outreach and service, and support roles. Positions are non-tenurable and will be advertised and

competitively filled through the normal recruitment process. Contracts will be limited-term and subject to renewal based on availability of funding. Professional staff will be hired in one of the following categories, which will be specified in the position announcement.

208.2 CATEGORIES

208.2.1 NON-RESEARCH PROFESSIONALS (NON-FACULTY)

Non-research Professionals are those Bureau professional employees who are appointed to a non-tenurable, non-instructional position on a Board of Regents contract or a Letter of Appointment and who are engaged primarily in support of the research programs conducted by the Bureau, but are not expected to conduct research themselves. The academic degree and professional experience required, and position title, will be determined by the needs of the individual position.

Non-research Professionals may apply for reassignment or be reassigned to Professional Scientist status. In order to be considered for reassignment, the Non-research Professional must meet the minimum requirements for Professional Scientist status as described below. Reassignment will be made by the Bureau Director in accordance with adopted evaluation procedures.

208.2.2 PROFESSIONAL SCIENTISTS (NON-FACULTY)

Professional Scientists are those Bureau professional employees who are appointed to a non-tenurable, non-instructional position on a Board of Regents contract or a Letter of Appointment and who are primarily engaged in some combination of research/creative activity and outreach, either independently or under the supervision of Bureau Professional Practice Faculty. A Bachelor's degree and three (3) years of experience or a Master's degree are the minimum requirements for employment as a Professional Scientist. Both the degree and credited experience must be in a field appropriate to the position. Position title will be determined by the individual's duties and responsibilities.

Professional Scientists may apply for reassignment or be reassigned to Non-Research Professional status by the Bureau Director. In order to be considered for reassignment, the staff members must fulfill the academic degree and professional experience required by the new position. Reassignment will be made by the Bureau Director in accordance with adopted evaluation procedures.

208.2.3 BUREAU PROFESSIONAL PRACTICE FACULTY (BUREAU FACULTY)

Bureau Professional Practice Faculty are those Bureau employees appointed to a non-tenurable, non-instructional position on a Board of Regents contract or a Letter of Appointment and who are engaged in some combination of research/creative activity and outreach as their primary responsibilities. Professional Practice Faculty are considered "faculty with academic rank" for the purposes of administering Montana Tech's benefit and leave policies. The Chancellor, under the advice of the Director of the Bureau, determines whether or not a position shall hold Bureau Faculty status.

The following ranks, and minimum requirements for each, are used for experienced researchers engaged in on-going research projects, who have qualified for Bureau Faculty status:

208.2.3.1 ASSISTANT PROFESSORS

Assistant Professors shall possess at a minimum a Master's degree and three (3) years of relevant experience, or a Doctoral degree. Both the degree and credited experience must be in a field appropriate to the position.

208.2.3.2 ASSOCIATE PROFESSORS

Associate Professors shall possess at a minimum a Master's degree and eight (8) years of experience or a Doctoral degree and five (5) years of experience. Both the degree and credited experience must be in a field appropriate to the position.

208.2.3.3 PROFESSORS

Professors shall possess at a minimum a Master's degree and thirteen (13) years of experience or a Doctoral degree and ten (10) years of experience. Both the degree and credited experience must be in a field appropriate to the position.

208.3 IMPLEMENTATION

This document (dated April 2002) incorporates significant changes in policy for classification and promotion of Bureau professional staff, and replaces policy that was adopted November 1999. Individuals currently awarded faculty status shall be grandfathered under this new policy so that: (1) assignment of faculty rank will be equivalent to rank carried under the former policy; for individuals with dual ranks, the higher rank will be assigned; and (2) individuals who do not hold the educational criteria required for promotion under the new policy will be considered under the 1999 policy.

Individuals currently employed who have not been assigned faculty status will be assigned the appropriate rank based on their degree(s) and experience. This determination will be made by the Chancellor, under the advice of the Director of the Bureau.

Individuals who are employed in Bureau professional positions under a 12-month contract shall accrue annual leave in accordance with Board of Regents Policy. They are eligible for declared holidays for the general staff. These positions are not eligible for academic breaks. Any time taken away from work during academic recess must be reported as annual leave or sick leave, as appropriate.

Soft-dollar contracts will be charged for accrued sick and annual leave on a monthly basis, and these funds will be transferred to the grants and contracts leave fund. Sick and annual leave will be charged against the grants and contracts leave fund as it is used. Any sick or annual leave payable upon termination will be paid from the grants and contracts leave fund.

Bureau professional staff may not engage in consulting activities within Montana. They may engage in consulting activities based outside the State if these activities are consistent with the policies of the Montana University System, Montana Tech, and the Montana Bureau of Mines and Geology. All outside consulting must be approved by the employee's supervisor, the Director of the Montana Bureau of Mines and Geology, and the Chancellor. Time spent on consulting during the normal workweek shall be reported as annual leave or leave without pay unless specific contract provisions provide otherwise.

208.4 EVALUATION OF PROFESSIONAL STAFF

Professional appointees are to be evaluated annually in accordance with adopted evaluation procedures. Because staff members may have very different assignments in terms of research/creative activity, public service and outreach, institutional service, management, and support roles, each will be evaluated by criteria appropriate to the assignment. Recognizing that job responsibilities may change over time, the roles of Non-research Professionals and Professional Scientists will also be evaluated with respect to proper classification for the work being performed.

208.5 PROMOTION

Promotion of Bureau Professional Staff shall be in accordance with criteria described in this document.

208.5.1 NON-RESEARCH PROFESSIONALS

Non-research Professionals may apply for promotion to the rank of Bureau Professional Practice Faculty. In order to be considered for promotion, the applicant must have achieved a minimum of a Master's degree and three (3) years experience, both in a field appropriate to the position, and must have demonstrated research capability. Applications will be reviewed under the Bureau's standard procedures for promotion.

208.5.2 PROFESSIONAL SCIENTISTS

Professional Scientists may apply for promotion to the status of Bureau Professional Practice Faculty. In order to be considered for promotion, the applicant must have achieved a minimum of a Master's degree and three (3) years experience, both in a field appropriate to the position, and must have demonstrated research capability. Applications will be reviewed under the Bureau's standard procedures for promotion.

208.5.3 BUREAU PROFESSIONAL PRACTICE FACULTY

Bureau Professional Practice Faculty may apply for promotion to higher ranks within the category of Bureau faculty. Promotion criteria are intended to be flexible in order to reflect the various roles necessary to fulfill the Bureau's mission. In addition to the number of years in rank, there are four broad categories that describe an individual's eligibility for promotion.

208.5.3.1 RESEARCH/CREATIVE ACTIVITY

Research includes not only the actual investigative progress itself but also the creative activities necessary to generate and prepare proposals, to manage a project or program once it is funded, and to complete the necessary reports or publications in the course of a project. Subject matter should (1) benefit the citizens, government, or resources of Montana, and (2) contribute technical information and advancement in the appropriate discipline. Products of research must include publications, abstracts, open-file reports or maps, and periodic reports for contracts. Good writing skills are essential to the entire spectrum of research, from writing proposals to publications that communicate the results.

208.5.3.2 PUBLIC SERVICE/OUTREACH

Public Service and outreach (activities in service to the public) include, but are not limited to:

- letters, memos, data tabulations, graphs, etc. prepared to respond to requests for information from the public;
- presentations for civic groups, public meetings; testimony or informational presentations at criminal/civil trials, hearings; membership and participation on local, state, federal government advisory panels and committees;
- review of proposals and reports for other individuals, agencies, or groups, or active involvement with professional organizations; and
- presentations, field trips, and science fair judging with K-12 and college students.

Service also includes presentations or service to organizations or individuals, contribution of one's professional background and skills to public questions or concerns, and advancing the ability of the Bureau to relate research activities to public concerns. The cumulative amount and impact of public service will be considered.

Because the Bureau is an applied research and service organization, emphasis is placed on the importance of the individual professional to work effectively with colleagues and citizens, and with local, state, and federal organizations to achieve the Bureau's mandates and objectives.

208.5.3.3 INSTITUTIONAL SERVICE

Institutional Service (activities occurring within the Bureau or Montana University System) includes, but is not limited to:

- lectures, classes, or seminars presented to the Bureau or Montana University System staff/students; advice to graduate students;
- service on internal Bureau committees or committees within the University System; testimony or informational presentations regarding Bureau operations or programs at committee hearings or meetings of government advisory panels at the local, state or national level;

- maintenance of Bureau-wide library, databases, files, records, or photographs; technical assistance to other Bureau personnel or projects; and
- review of Bureau proposals or manuscripts.

208.5.3.4 MANAGEMENT

Management includes the process of planning and organizing a project and its staff to meet project expectations and deadlines within the allotted time and budget, making strategic decisions in a project as unexpected changes arise, and dealing with personnel issues as they occur. Project management involving other individuals is a vehicle for senior researchers to use their accumulated knowledge and wisdom for the benefit of both the Bureau and less experienced researchers.

Promotion to a higher rank of Bureau Faculty will require demonstrated achievement in all four categories described above. However, it is recognized that each staff position may have a different emphasis in responsibility. For example, a staff member in a position with significant management or public service responsibilities would not be required to meet the same productivity standards for publications as an individual who has a high percentage of time devoted to research responsibilities. Some researchers have basically worked alone throughout their career, but based on their own outstanding research clearly deserve to be promoted to most senior levels. In this case, significance of research must outweigh managing large numbers of people or dollars. Publications will, however, enhance promotion eligibility for all Bureau faculty.

208.5.4 SUPPORTING CRITERIA FOR PROMOTION OF BUREAU FACULTY

208.5.4.1 YEARS IN RANK

The following number of years of full-time Bureau service (or summary equivalent) will normally be a minimum required in a rank prior to promotion:

Assistant Professor to Associate Professor – 5 years

Associate Professor to Professor – 5 years

Higher levels of performance are required for promotion to each advanced rank. To be promoted to a higher rank, one must have performed at the advanced level to demonstrate competency.

208.5.4.2 RELEVANT EXPERIENCE

Pre-Bureau experience credited toward time-in-rank should be scientific in nature and directly applicable to Bureau activities, mandates, and programs. Publications, writing, and communication skills will also be key criteria in judging pre-Bureau experience. Professional experience gained prior to employment at the Bureau may be, in part, credited toward the years in rank for the minimum criterion. At the end of the second year of Bureau professional service, the Bureau professional needs to notify the Director in writing that he/she would like to have his/her pre-Bureau experience evaluated for possible credit toward years in rank for the minimum criterion. The Director, following careful review of annual performance rankings, consultation with the appropriate Division Chief and other Bureau faculty, and discussion with the individual, will recommend in writing the amount of pre-Bureau experience allowed.

208.5.4.3 PUBLICATIONS

One measure of scholarly activity is the written record that an individual produces. Bureau Faculty need to demonstrate, through the number and kind of publications, their service to citizens of Montana, and their level of professional development and scholarly maturity.

Productivity and originality (quality and quantity) in written or orally presented work (generally in decreasing order of importance):

- Scholarly books in the scientific field, as sole or senior author

- Articles in refereed national journals, as senior author
- Monographs or chapters in peer-reviewed books, as senior author
- Bureau Memoirs or equivalent, as senior author
- Bureau Bulletins or equivalent, as senior author
- Bureau Reports of Investigations, miscellaneous contributions, maps, as senior author
- Books as junior author or editor
- Articles in non-refereed national journals
- Invited presentations at national or international meetings
- Compilation-type publications (databases, lists, catalogs)
- Field-trip guides
- Bureau open-file reports (can also be ranked appreciably higher, depending on circumstances beyond author's control)
- Non-technical publications (brochures, general-interest magazines or journals, newsletters)
- Papers at professional meetings and for which an abstract was published in a citable work
- Invited presentations at regional or state meetings
- Unpublished papers or technical reports

Scholarly products accepted for publication, or in press, will be accepted as published. Sole or senior authorship on multi-authored written works holds greater stature than junior authorship.

208.5.4.3.1 QUALITY OF WORK

Quality of scholarly research and publications as judged by:

- Peers at the Bureau or Montana Tech (particularly through letters of recommendation); Supervisors, former supervisors, or co-workers;
- Peers at other institutions and organizations;
- Research Division Chief;
- Bureau Director;
- Self-evaluation (a critical assessment of personal and professional growth)

208.5.5 GRANTS OR FUNDING RECEIVED

This is a measure of initiative taken to pursue scientifically creative ideas and/or to significantly enhance Bureau mandates and objectives.

208.5.6 OTHER SUPPORTING CRITERIA

- Honors or awards from professional organizations
- Referee or editor of professional journal
- Regional or national prominence (i.e., professional visibility)
- Professional development (attainment of a new professional degree, license, or certification, or other evidence of an individual's professional growth)
- Teamwork

208.5.7 PROMOTION PROCEDURE FOR BUREAU FACULTY

The procedures for promotion to a higher rank conform to those detailed in the Montana Tech Faculty/Staff Handbook (Section 206.3), with four major exceptions:

1. Because Bureau Faculty members do not have instructional responsibilities, they normally will not be evaluated on that basis. Limited instructional duties performed by Bureau Faculty will be evaluated under institutional service.
2. The Bureau will require a minimum of five (5) calendar years in rank to advance from Assistant Professor to Associate Professor.
3. Bureau Faculty can achieve promotion to Professor without holding an earned doctorate. However, they must maintain a high-level of achievement for a longer period of time than those who do hold a doctorate. A Master's degree will be the normal minimal requirement to reach Professor status at the Bureau.
4. Bureau Faculty cannot be considered for tenure.

208.5.8 APPLICATION FOR PROMOTION

It is the Bureau Faculty member's responsibility to initiate an application for promotion. It is advisable for the staff member to meet with his/her supervisor, the Bureau's Performance Evaluation Committee, and/or the Director to review the appropriateness of applying for a promotion. This meeting could save the potential applicant unnecessary work should the promotion be deemed premature or otherwise inappropriate at the time.

The elements of the application will include the cumulative record of progress and achievement that will be considered for the promotion. The application portfolio will consist of the following five elements:

1. A written application for promotion including a narrative statement reviewing the attainment of all necessary criteria to support promotion to a higher rank.
2. A cumulative and chronological record containing a summary of all activities and accomplishments, demonstrating a progressive increase in responsibility, and scientific growth. Such a record will include, but not be limited to, presentations, research projects or research contracts, proposals, formal study, attendance at professional meetings, progress toward another degree, institutional and public service, and annual performance rankings.
3. A complete bibliography of all publications.
4. Originals or complete copies of all publications available on request.
5. For the individual seeking promotion to Professor rank, four written letters of endorsement from individuals outside the Bureau and Montana Tech in support of the candidate's application for promotion. At least three of these letters must be from individuals identifiable as having achieved senior-level status in their organization.

208.5.9 SUBMITTAL

The completed portfolio will be submitted to the Bureau's Performance Evaluation Committee to be reviewed for completeness and quality of the application. The Performance Evaluation Committee will also provide a written recommendation on the application, signed by each individual on the committee. The promotion application, along with the committee's recommendation, will be sent to the Bureau Director.

The Director, in consultation with the Assistant Director and the appropriate manager or Division Chief, will carefully review all materials in the portfolio and each will prepare a written recommendation either to endorse or to deny the application. Additional documentation may be requested if it is felt that the application is incomplete. The application, along with all recommendations and comments, will be sent to the Chancellor for final review and decision.

208.5.10 DEADLINES

Application for promotion will be received by the Director once a year and will generally adhere to deadlines in accordance with those outlined in the Montana Tech Faculty/Staff Handbook (Section 206.5).

ON or BEFORE:

February 1	Professional staff member delivers promotion portfolio to the Bureau Performance Evaluation Committee.
February 20	Performance Evaluation Committee forwards the portfolio to the Director with written comments and recommendation.
March 15	Director forwards promotion portfolio to Chancellor with written comments and recommendations by all reviewers.
April 1	Promotion decision made by Chancellor.
April 15	Notification of Chancellor's promotion decision provided to applicant.

The Chancellor will notify the successful applicant of his/her promotion. As a further recognition of achievement, a raise in salary will usually accompany a promotion. However, realizing constraints placed on the budget by external factors, the promotion and raise may not always be awarded simultaneously, and the amount of the raise awarded for a promotion may vary from year to year.

208.5.11 APPEALS PROCESS

A faculty member may appeal a negative promotion decision to the Bureau's Appeal Committee. Such an appeal must be made in writing within 15 days of notification to the applicant, of the promotion decision by the Chancellor. All endorsements, or recommendations for denial, will be provided in writing to the applicant.

The Committee will review the case and make its recommendation to the Director who will rule on the appeal. If the individual wishes to appeal the decision of the Director, he/she may appeal to the Chancellor.

Should the individual wish to appeal further the decision of the Chancellor, he/she may do so in accordance with procedures detailed in the Montana Tech Faculty/Staff Handbook (Section 212).

209 FACULTY TERMINATION: FINANCIAL EXIGENCY

The Board of Regents may terminate tenured faculty members of a campus of the University System for reasons of financial exigency of that campus or discontinuance or reduction of a program or department of instruction.

1. Financial Exigency: Financial exigency exists when a University System campus's budget for faculty member services is insufficient to sustain the current number of faculty positions taking into account anticipated attrition and non-renewal of probationary appointments.
2. Program Reduction or Discontinuance: Staffing in a program or department may be discontinued or reduced following:
 - a. A system-wide or campus level review of the particular program or department; or
 - b. A sustained decline in enrollment or shift in student interests adversely affecting the program or department.

Each campus may develop separate procedures to implement these policies.

In the absence of separate campus procedures approved by the Board of Regents upon recommendation by the Commissioner, the procedures found in Board Policy 710.2.1 shall apply.

210 FACULTY TERMINATION: FOR CAUSE (BOARD OF REGENTS' POLICY 710.2.2)

Termination of employment of a faculty member on continuous tenure, or of a special or probationary appointment before the end of the specified term of employment, may be effected by an institution for adequate cause. The exercise of academic freedom or constitutionally guaranteed civil rights will not be used as a basis for termination.

Adequate cause for termination includes:

- (a) conviction of a felony or a crime involving moral turpitude since commencing of employment at the campus or the willful concealment of such crime in making application for employment;
- (b) unreasonably endangering the welfare or unethical exploitation of students, employees or campus visitors;
- (c) substantial failure to carry out responsibilities of a faculty member as determined by the Committee on Service;
- (d) fraud or misrepresentation of professional preparation, accomplishments or experience in connection with initial hiring or in the submission of materials for evaluation for promotion, tenure, or salary adjustment purposes; or
- (e) gross insubordination.

A decision to terminate a faculty member for cause will be made by the President or Chancellor, after the faculty member has had an opportunity for a hearing before the Committee on Service, and if a hearing occurs, following receipt of the report of the Committee on Service. The President or Chancellor shall review and consider the report of the Committee on Service prior to making a decision. The decision and action of the President or Chancellor may be appealed to the Commissioner of Higher Education and the Board of Regents in accordance with Board policy in effect when the appeal is initiated. The President or Chancellor may, in his discretion, terminate the faculty member pending appeal. Procedures found in Board policy 710.2.2 shall apply.

211 APPEAL PROCESS IN FACULTY DECISIONS

A faculty member may appeal a negative tenure decision to the Academic Freedom and Tenure Committee within 15 days of receipt of notification of the recommendation of the President.

A faculty member may appeal a negative promotion decision to the Academic Freedom and Tenure Committee. Such an appeal must be made within 15 days of notification to the applicant of the promotion decision by the President.

Questions on merit salary increments may be appealed by the faculty member to the VCAA/R. A faculty committee composed of three members shall be named by the VCAA/R after having received lists, each containing three names, from the appealing faculty member and the Dean. The VCAA/R shall select one person from each list and one from the faculty at large. The faculty committee shall independently review the case and make its recommendation to the VCAA/R. The VCAA/R shall then rule on the appeal. If the individual wishes to appeal the decision, he/she may appeal to the Chancellor.

212 APPEALS (BOARD OF REGENTS' POLICY 203.5.2)

<http://mus.edu/borpol/bor200/203-5-2.pdf>

Any party adversely affected by the final decision of a university President may appeal, within 30 days of the President's decision, to the Commissioner of Higher Education, unless a Board of Regents' policy or an employment agreement explicitly provides that the decision of the President is the final administrative review.

Persons alleging that a University System employee has acted in a fashion incompatible with state ethics or conflict of interest may bring that matter to the attention of the chief administrative officer on the involved campus. A campus decision on such a complaint is appealable under this policy once a final decision has been rendered by the university President.

The Commissioner may in his/her discretion limit the scope of review to procedural matters.

The Commissioner may not substitute his/her judgment for the substantive decision made by the President, unless the President's decision was arbitrary and capricious, or clearly erroneous based on the facts in the record, or violated some legally protected right of the appellant.

This policy does not apply to any matters that are subject to the grievance procedure of a collective bargaining contract.

Appeals of decisions made by the Commissioner, including decisions made on appeals of final campus decisions, may be appealed to the Board pursuant to Procedure F. (BOR Policy 203.5.2)

213 SABBATICAL ASSIGNMENT (BOARD OF REGENTS' POLICY 801.1

<http://mus.edu/borpol/bor800/8011.htm>)

213.1 BOARD POLICY

Section 75-6213, R.C.M. 1947, does not prohibit a faculty member from accruing creditable service and receiving the employer contribution for retirement benefits during the performance of a sabbatical program. Vol. 37, Opinions of the Attorney General, Opinion No. 80, October 17, 1977.

1. Any faculty, administrative or professional staff member within the MUS with seven or more years of service in Montana without a sabbatical shall be eligible for sabbatical assignment. Service while on sabbatical shall be creditable service for all purposes to the same extent as a person's service while on regular assignment.
2. Sabbaticals are subject to budget limitations that may exist at any campus of the MUS.
3. Satisfactory programs or projects for sabbatical periods include research, travel, related work in other institutions or private or business organizations, or other activities which the President or Chancellor of the campus agrees will improve the staff member professionally, or which directly or indirectly benefit the campus and the state.
4. All sabbatical assignments shall normally be for a period of not less than one semester or more than an academic year for persons on academic year appointments and not less than one-half or more than one fiscal year for persons on fiscal year appointments; however, a person may request a shorter assignment.
5. Compensation from campus funds may not exceed two-thirds of the academic or fiscal year contract amount established for the individual for the period for which the sabbatical assignment has been approved. Special compensation arrangements involving funds from other than campus sources must be agreed upon and approved in keeping with the following conditions:
 - a. Compensation paid during a sabbatical assignment may differ from that paid for regular assignment because it may involve funding from sources other than regular campus funds such as fellowships, assistantships, or other sources of limited income including funds available from grants or contracts administered by the campus.
 - b. All compensation must be received through the campus and no person may be additionally compensated for the time on sabbatical assignment by income from other employment during the same period.

- c. Funds from non-campus sources must be made directly available to the campus for periodic disbursement to the person in addition to, or in lieu of, regular funds.
 - d. Funds from other sources may be used to supplement campus funds to increase the compensation up to, but not in excess of, that amount which the individual would have earned on regular assignment during the same period.
 - e. Compensation in excess of that which could have been earned on regular assignment may be approved only if all campus funds have been replaced by funds from other sources.
 - f. Programs or projects, which necessarily involve employment by an employer other than the campus, may not qualify for sabbatical assignment but may be approved as leave without pay.
6. A recipient of a sabbatical assignment will be expected to return to his/her campus for a period equal to the length of the sabbatical assignment or to repay money received from the campus while on leave.
 7. Persons on sabbatical assignment will continue to be eligible for employee benefits.
 8. Part-time faculty may be eligible for sabbatical assignments on a pro-rated basis.
 9. This policy shall be applicable only where a collective bargaining agreement is not in effect.

213.2 PROCEDURES

1. Faculty members may apply to their respective campus administrators for sabbatical assignment.
2. All applications for sabbatical shall be submitted to the President or Chancellor of the campus or, if applicable, to the Commissioner of Higher Education, allowing sufficient time for evaluation and approval.
3. In granting sabbaticals, campuses will be guided by the applicant's service which is appropriate to the person's regular assignment; academic rank, if appropriate; total length of service in the MUS; and type and quality of the proposed program.

Each President or Chancellor shall submit by September 1 an annual summary of sabbaticals to the Commissioner of Higher Education for the prior fiscal year.

213.3 DEFINITION

A sabbatical assignment is a change of duties, which neither diminishes nor increases the extent of the person's employment with the University System. The recipient remains employed by the University System during the entire term of the sabbatical to the same extent he/she was employed while on regular assignment, regardless of the compensation agreed upon for the term of the sabbatical.

213.4 CAMPUS PROCEDURES

A reminder regarding sabbatical assignments shall be sent to faculty members by the VCAA/R no later than October 1 of each year.

Applications must be submitted to the VCAA/R by January 31. The VCAA/R shall in turn make recommendations to the Chancellor. Applications from staff members in the Bureau of Mines and Geology shall go to the Director by January 31, and the Director shall then forward them with recommendations directly to the Chancellor. The VCAA/R's and Director's recommendations shall include a statement on the programmatic and financial impact of granting the requested sabbatical.

The application should contain material, which addresses the criteria listed in paragraph 3 of "Procedures."

Department Heads shall develop a clear written understanding with those faculty going on sabbatical assignment concerning what is expected of them while on that assignment (e.g., manuscripts, progress reports) and what criteria the subsequent year's salary increase recommendation shall be based upon.

Time spent on leave from Montana Tech does not earn service time toward eligibility for sabbatical assignment. The seven years of service required for sabbatical assignment eligibility must be completed by the time the leave is started, not necessarily by the time the application is filed.

214 FACULTY LEAVE OF ABSENCE

The Institution does not normally grant short leaves of absence for faculty personnel. In unusual or emergency situations, leaves are authorized either with or without pay. To apply for leave, it is necessary to prepare an Application for Leave form that may be obtained from the Personnel Office. To ensure that salary is not deducted if the leave is with pay, it is necessary for the faculty member to make up the time lost or to make some commitment to the Institution. The immediate supervisor is responsible for and must verify that the time and/or responsibilities are completed.

215 EMERITUS RANK FOR RETIRING FACULTY

Upon the recommendation of a department faculty, Deans or Department Heads shall nominate faculty for emeritus rank. After approval by the institution faculty, VCAA/R and Chancellor, these nominations are forwarded to the Board of Regents for their concurrence. Emeritus faculty members may enjoy library privileges, the MUS's health insurance plan for retired faculty members and may attend, without vote, meetings of their department, institution and general faculty. Free campus parking permits are available and emeritus faculty can use the HPER Complex under the same terms and conditions of regular faculty members.

If resources of the various departments are adequate, then the department may grant access to office and/or laboratory space, computer usage, and secretarial help to further their academic or scientific research and/or professional activities, excluding consulting. It is understood that the instructional, research and service requirements of the regular faculty must have priority; therefore, these privileges as to office, laboratory space and secretarial help may be rescinded by the department should it be necessary to do so.

The Institution and/or the Foundation may act as fiscal agent for grant and contract proposals submitted by emeritus faculty. Board of Regents' Policy may be found under 702.7.

216 FACULTY COMMITTEES

Faculty committee descriptions are attached to the Handbook as Appendix A. Additional ad hoc committees may be formed or disbanded by the faculty or administration with full notification to the college community. The Faculty Senate may appoint one additional member on any standing committee except those committees where a Faculty Senate representative already serves, or where the committee is limited by law or Regents' Policy (e.g., Faculty Service).

217 INVENTIONS AND PATENTS

All employees of Montana Tech shall adhere to procedures found in the Principle Investigator (PI) Handbook with respect to patentable inventions or discoveries and to those procedures outlined in Regents Policy 401.2. The purpose of these procedures is to define the relationships among the inventor; the University System; unit, institution, school, branch, division or agency of the University System; and outside sponsors of research within the University System. The PI Handbook can be accessed through the Montana Tech Web Site. Click on Research Office ->Policies and Procedures, where the PI Handbook can be found. A copy of the PI Handbook is also available in each academic department or in the Library.

General objectives of this policy include dissemination of existing knowledge together with the acquisition of new knowledge and understanding through research. System research is also conducted to train students and to stimulate a spirit of inquiry, but seldom with regard to practical application which might result. However, inventions are often by-products of research, and when such inventions are made, it may be in the public interest that the System provide the protection and control available under the patent laws. In such cases, it is the intention of the Board of Regents to provide that protection and control when practicable.

218 COPYRIGHTS (BOARD OF REGENTS' POLICY 401.3)

<http://mus.edu/borpol/bor400/4013.htm>

1. Works, which are produced by an employee in connection with an approved and sponsored research project, are treated in accordance with the agreement negotiated with the sponsor. In the absence of such agreement or to the extent such an agreement does not fully address ownership of works produced, such works shall be treated in accordance with Sections 2 or 3 of this policy.
2. When an employee is assigned work or responsibilities for the specific purpose of developing computer programs, visual aids, manuals, public relations material, or other copyrightable works, the works produced pursuant thereto and all royalties there from shall be the property of the campus. Assignment of the copyright shall be indicated either on the individual employment contract or in a separate document countersigned by the employee. Should the campus and the employee agree to a division of royalties such division must be included in the contract or in a separate document countersigned by the employee. If the campus does not wish to copyright the work, the employee may obtain a written release from the President or Chancellor and may then copyright the work in his/her own name. Upon written request for release by the employee, the campus will respond within 30 days.
3. When an employee develops copyrightable works other than those defined in paragraphs 1 or 2 above, he/she shall have sole right of ownership and disposition of such works. When such works are produced, developed or authored through the use or with the aid of the campus facilities, personnel or other resources, the campus must be reimbursed for the fair market value of the use of any such facilities, personnel or resources, except those considered part of the normal academic environment including library facilities. Manuscripts or works of art designed for publication in media where no remuneration is given the author(s) are exempt from this reimbursement requirement.

219 CONSULTING

Form Required: Permission to Consult form is attached to the Handbook as Appendix E.

In compliance with Board of Regents Policy 401.1, the following regulations govern consulting activities carried on by faculty, academic Department Heads, administrators (including deans), and professionals on FY contracts at the Institution.

All persons wishing to engage in consulting activities outside the Institution must request permission through appropriate channels. The Permission to Consult form must be completed each time a member engages in consulting with a different client. Only that time used consulting during the normal workweek need be reported on the annual inventory.

219.1 FACULTY

Faculty may engage in a limited amount of private consulting (defined as any additional activity beyond duties assigned by the Institution, professional in nature and based in the appropriate discipline for which the faculty member receives additional personal compensation during the contract year) provided it does not interfere with the performance of regular institutional duties.

Permission for such private consulting shall normally be granted only after all academic responsibilities, including instructional and research activities, are fulfilled, and shall be obtained from the appropriate Department Head, Dean, VCAA/R, and the Chancellor.

In order to provide maximum flexibility of the faculty in their performance of consulting assignments, the amount of time per week need not be specified. However, the total days of consulting shall not exceed 40 days in any one academic year. Permission to engage in consulting engagements totaling more than 40 days in any academic year shall be considered on their own merit and may be approved on an individual basis by the appropriate Department Head, Dean, VCAA/R, and by the Chancellor.

219.2 MONTANA BUREAU OF MINES AND GEOLOGY FACULTY AND OTHER BUREAU PROFESSIONALS

Bureau employees are generally not allowed to consult in the state. Consulting out-of-state may be permitted under limited circumstances, but requires the written approval of the Director and the Chancellor.

219.3 ACADEMIC DEPARTMENT HEADS

Academic Department Heads may engage in a limited amount of private consulting (defined as any additional activity beyond duties assigned by the Institution, professional in nature and based in the appropriate discipline for which the academic Department Head received additional compensation during the academic or contract year) provided it does not interfere with the performance of regular institutional duties.

Permission for such private consulting shall normally be granted only after all administrative responsibilities, including instructional and research activities, are fulfilled, and shall be obtained from the appropriate Dean, VCAA/R and the Chancellor.

In order to provide maximum flexibility of the faculty in their performance of consulting assignments, the amount of time need not be specified. The total days of consulting shall not exceed 40 days in any academic year. The 40 days shall be taken during the established academic year. Permission to consult more than 40 days in the academic year shall be considered on its merit and may be approved on an individual basis by the appropriate Dean, VCAA/R and the Chancellor.

219.4 OTHER ADMINISTRATORS (INCLUDING DEANS) AND FY PROFESSIONALS

Administrators (including Deans) and professionals may engage in a limited amount of private consulting (defined as any additional activity beyond duties assigned by the Institution, professional in nature, and based on the appropriate discipline for which the individual receives additional personal compensation during the contract year) provided it does not interfere with the performance of regular institutional duties.

Permission for such private consulting shall normally be granted only after all assigned duties have been fulfilled and shall be obtained from the appropriate Department Head, Vice Chancellor and the Chancellor.

In order to provide maximum flexibility of administrators and professionals in their performance of consulting assignments, the amount of time per week need not be specified. However, the total days of consulting for faculty shall not exceed 40 days in any contract year. Permission to engage in consulting totaling more than 40 days in any contract year shall be considered on their own merit and may be approved on an individual basis by the appropriate Department Head, Vice Chancellor and the Chancellor. The amount of time allowed non-faculty staff shall be determined on a case-by-case basis in consultation with the Chancellor. All time used by administrators and professionals for consulting during the normal workday, week, or month of their contract period must be taken as leave time (i.e., vacation leave or leave without pay) and shall be noted as such on the monthly attendance record sheet.

All consultation shall be undertaken in a purely private capacity and the Institution shall not be responsible in any way for the property of clients used in such research. No official institutional stationery, forms, or business cards shall be used in connection with such work, nor shall the name of the Institution be used without the expressed consent of the Chancellor. Private stationery, business cards, professional directories, etc. should not bear the Institution's phone number or address.

When campus space and equipment are used for private consulting, the Institution shall be reimbursed for use of such space and equipment. Approval shall be obtained in advance. The basis of reimbursement should be established and agreed to between the consultant and the Institution's Controller prior to submission of the request to the Chancellor.

Every person engaged in consulting shall submit an annual inventory of his/her consulting activities to the Chancellor by September 20. This report shall account for only time spent on consulting activities during the normal workday, week, or month of their contract period.

220 CONFLICT OF INTEREST

220.1 RULES OF CONDUCT FOR PUBLIC OFFICERS AND PUBLIC EMPLOYEES (2-2-121 M.C.A)

<http://data.opi.mt.gov/bills/mca/2/2/2-2-121.htm>

1. Proof of commission of any act enumerated in subsection (2) is proof that the actor has breached a public duty.

2. A public officer or a public employee may not:

- Use public time, facilities, equipment, supplies, personnel, or funds for the officer's or employee's private business purposes;
- Engage in a substantial financial transaction for the officer's or employee's private business purposes with a person whom the officer or employee inspects or supervises in the course of official duties;
- Assist any person for a fee or other compensation in obtaining a contract, claim, license, or other economic benefit from the officer's or employee's agency;
- Assist any person for a contingent fee in obtaining a contract, claim, license, or other economic benefit from any agency;
- Perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which the officer or employee either has a substantial financial interest or is engaged as counsel, consultant, representative or agent; or
- Solicit or accept employment, or engage in negotiations or meetings to consider employment, with a person whom the officer or employee regulates in the course of official duties without first giving written notification to the officer's or public employee's supervisor and department director.

3. A public officer or public employee may not:

- Use public time, facilities, equipment, supplies, personnel, or funds to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or the passage of a ballot issue unless the use is:
 - Authorized by law; or
 - Properly incidental to another activity required or authorized by law, such as the function of an elected public officer, the officer's staff, or the legislative staff in the normal course of duties.
- As used in this subsection (3), "properly incidental to another activity required or authorized by law" does not include any activities related to solicitation of support for or opposition to the nomination or election of a person to public office or political committees organized to support or oppose a candidate or candidates for public office. With respect to ballot issues, properly incidental activities are restricted to the activities of a public officer, the public officer's staff, or legislative staff related to determining the impact of passage or failure of a ballot issue on state or local government operations.
- This subsection (3) is not intended to restrict the right of a public officer or public employee to express personal political views.

4. A public officer or public employee may not participate in a proceeding when an organization, other than an organization or association of local government officials, of which the public officer or public employee is an officer or director is:
 - Involved in a proceeding before the employing agency that is within the scope of the public officer's or public employee's duties; or
 - Attempting to influence a local, state, or federal proceeding in which the public officer or public employee represents the state or local government.
5. A public officer or public employee may not engage in any activity, including lobbying, as defined in 5-7-102, on behalf of an organization, other than an organization or association of local government officials, of which the public officer or public employee is a member while performing the public officer's or public employee's job duties. The provisions of this subsection do not prohibit a public officer or public employee from performing charitable fundraising activities if approved by the public officer's or public employee's supervisor or authorized by law.
6. A department head or a member of a quasi-judicial or rulemaking board may perform an official act notwithstanding the provisions of subsection (2)(e) if participation is necessary to the administration of a statute and if the person complies with the disclosure procedures under 2-2-131.
7. Subsection (2)(d) does not apply to a member of a board, commission, council, or committee unless the member is also a full-time public employee.

Subsection (2)(b) and (2)(e) do not prevent a member of the governing body of a local government from performing an official act when the member's participation is necessary to obtain a quorum or to otherwise enable the body to act. The member shall disclose the interest creating the appearance of impropriety prior to performing the official act.

220.2 CONFLICT OF INTEREST RULES FOR MONTANA TECH EMPLOYEES

- a. No employee shall accept additional compensation for the same services that are part of the employee's assigned duties.
- b. No faculty member may receive compensation for tutoring students of the Institution. A teaching assistant may not receive extra compensation for tutoring students in any section of a course in which he/she has any responsibility.
- c. Any employee who recommends or approves a purchase, and who has any financial interest in the firm involved in the purchase, shall make this fact known at the time. This requirement does not include textbook adoptions where the faculty member is clearly identified as the author or editor of the book in question.
- d. Any employee who recommends or approves a personnel action, and who has any financial interest or business association with the person who is the object of action, shall make this fact known at the time.
- e. No employee may use or distribute information from unpublished institutional research for the benefit of a consulting activity or a private client.
- f. An employee may act in a supervisory relationship with the same student or staff member within the Institution and in an external organization, but the work cannot be done during the normal workday of his/her contract period.

Montana Tech's Conflict of Interest policy for Contracts and Grants can be found via the Montana Tech Web Site at: http://www.mtech.edu/research/policies/images/mt_conflict_of_interest_policy_1-2-2008.pdf or click on Research Office>Policies and Procedures>Conflict of Interest. All Montana Tech employees must annually sign the disclosure form associated with this policy.

221 RESEARCH AND SCHOLARLY ACTIVITY PROPOSALS SEEKING EXTRAMURAL FUNDING

Research and sponsored project activities conducted under the Institution's auspices carry an important public and personal responsibility for careful management. The PI Handbook is published by the Office of Research and Graduate Studies (ORGS) to help you fulfill that responsibility. It is posted on the Montana Tech Web Site under Research Office/Research Policies. It describes general procedures, policies, and services available regarding research and sponsored projects at Montana Tech. All members of the campus community—faculty, academic professionals, staff, and students—who wish to conduct externally funded projects utilizing the Institution's facilities, personnel, or other resources must comply with applicable institutional policies and procedures found in this handbook.

222 RESEARCH POLICY – ESTABLISHMENT OF RESEARCH SALARY BASE

It is the policy of Montana Tech of The University of Montana that salaries paid to faculty researchers engaged in extramurally funded research should be competitive with salaries paid to their peer academic researchers. For the purposes of this policy, a competitive research salary base is defined as 100% of the CUPA average academic salary base for the faculty member. All qualifying academic faculty members may use this research salary rate when applying for grants and contracts from Federal, State, Private or Corporate sponsors. This rate will not apply to grants and contracts received from agencies of the Montana State Government or granting agencies with specific policy prohibiting this.

222.1 APPLICATION OF FACULTY RESEARCH SALARY BASE

In cases where the external funding sources allow, there shall be two types of base salaries: an academic salary base for state-appropriated funds and a research salary base for external funding sources such as research grants and contracts.

Individuals may be hired into positions supported through external sources at a rate higher than an appropriated base would support. For individuals returning to state-appropriated positions, the salary base will be no less than that of the last state-appropriated position, plus the compensation increases actually awarded to the faculty member since the individual last held a state-appropriated position (reflecting percentage increases for normal increases and permanent market adjustments, and fixed dollar amounts for merits and promotions).

Those members of the faculty who already have an established individual state-appropriated base salary may be hired into externally funded positions at a base higher than their state-appropriated base, but will relinquish that higher base upon conclusion of the grant or contract activity, as outlined above.

222.2 DETERMINATION OF FACULTY RESEARCH SALARY BASE

The research salary base will be determined annually by the Vice Chancellor for Academic Affairs and Research (VCAA/R) and Vice Chancellor for Administration and Budget. In this determination, the VCAA/R will review the current academic year salary for academic faculty and compare these individual salaries to CUPA data for the same discipline and rank. From this comparison will come a value of the faculty member's academic salary base as a percentage of the CUPA average academic salary for the same discipline and rank. This salary is in effect for the time period August 16 to August 15 of the following year regardless of when the new CUPA salary survey is released.

1. If the current academic year salary for tenure track faculty is above the CUPA average academic salary for the same discipline and rank, then the research salary shall be equal to the current academic year salary.
2. A memo is written by the VCAA/R to the Chancellor for his/her approval. This memo should state the levels of research salary base being requested, the effective date of the request and the duration of the request. The memo should also indicate any buyouts that have been awarded through the grant process.

3. Once the Vice Chancellor approves the request, he/she indicates OK on the memo, initials it and sends it to the Assistant to the Chancellor to have a Salary Adjustment prepared for the Office of the Commissioner of Higher Education. Please note: Faculty cannot be paid the salary until the Commissioner has approved it. Items are due one month before salary becomes effective.
4. All academic year buyouts will be budgeted at the research salary base and faculty will be paid at this rate for the period of the buyout.
5. Within the limitations above, the research salary base applies to any salary that is funded by an allowable external source. Once the research base is established, ALL salary paid from an allowable external source from that day forward MUST be at that research base. You CANNOT be inconsistent in its application to external funding.
6. It is the responsibility of the individual researcher and Director of Contracts and Grants to assure that the policy is implemented properly, in a timely manner, in cooperation with the Vice Chancellor for Administration and Finance. Research salary contracts are required to be filed with payroll prior to the performance of the research.

223 ACADEMIC DEPARTMENT HEADS AND DEANS

223.1 DEPARTMENT HEAD JOB DESCRIPTION, SELECTION AND TERMS

223.1.1 JOB DESCRIPTION

Department Heads at Montana Tech of The University of Montana are the leaders and chief representatives of their departments and, except in extraordinary circumstances, are the conduits through which communications flow to and from their departments on policy and procedural matters of an academic or administrative nature. The Department Head, in consultation with the faculty of the department, is responsible for setting goals and objectives for the department that is consistent with those of the Institution, for developing plans to achieve them, and for periodically assessing progress towards meeting them.

223.1.2 ACADEMIC RESPONSIBILITIES

The Department Head, in consultation with the faculty of the department, is responsible for the continuing development of the curriculum and for its oversight. If it is individually accredited by an organization such as ABET, the Department Head is responsible for maintaining accreditation of the department's degree program. The Department Head is normally expected to carry two-thirds of the teaching load assigned to faculty in the department.

223.1.3 ADMINISTRATIVE RESPONSIBILITIES

The Department Head is the leader of the department and is expected to show leadership in all areas of concern to the department faculty and staff. That leadership is measured in terms of the success of the students, faculty and staff and programs under the department's umbrella.

In particular the Department Head is responsible for:

- Reviewing the performance of department faculty in the areas of teaching, service and research in a manner described by the Faculty/Staff Handbook;
- Developing with the faculty a closed loop assessment plan with goals, objectives and feedback process that ensures continuous improvement of the program;
- Developing an annual department budget request for consideration by the Dean, for modifying the budget based on funds allocated, and for administering the expenditure of funds so as not to exceed allocations;
- Assigning teaching duties equitably to the department's faculty in such a manner as to take the greatest advantage of their individual expertise, interests and abilities;

- Scheduling of classes and the arrangement of the teaching schedule in a manner that avoids intra and inter-department conflicts between required courses and allows faculty adequate time blocks to prepare for instruction, carry out research and serve the Institution and the community.
- Reviewing and, when necessary, revising the department's portion of Montana Tech's catalog and schedules of classes;
- Recruiting new faculty. These responsibilities include, but are not limited to, development of a position announcement in concert with the department's faculty, formation of a search committee, review of the search committee's recommendation(s), and recommending a candidate for the position to the Dean.
- Insuring that each tenure track (probationary) faculty member is evaluated by the department's tenured faculty annually. The results of the evaluation, as well as the Department Head's own evaluation, should be conveyed to the faculty member and to the Dean of the Institution in a timely manner.
- Insuring that published guidelines for applications for tenure and promotion are followed and that applications are processed in a timely manner;
- Insuring the quality of student advising in the department;
- Hearing disputes or complaints regarding any aspect of the department's performance;
- Selecting, supervising and evaluating staff assigned to the department, such as laboratory directors and administrative assistants; and
- Maintaining orderly records of department meetings, curriculum changes and other official department business.

223.1.4 RESEARCH AND PROFESSIONAL DEVELOPMENT

The Department Head is responsible for fostering a climate conducive to the conduct of research by the department's faculty and students. This includes, but is not limited to, the dissemination of information pertaining to research opportunities, the encouragement of faculty and students to pursue research, and, to the extent practicable, the provision of time and facilities in which to conduct research.

The Department Head is responsible for ensuring that faculty are made aware of on- and off-campus opportunities for professional development, encouraging faculty to pursue professional development opportunities, and for allocating and pursuing funds for professional development to the extent practicable.

223.1.5 EXTERNAL CONSTITUENCIES

The Department Head is responsible for promoting the department and its programs to external constituencies. This includes, but is not limited to, fostering good alumni, industry, and community relations; recruiting of new students and placement of continuing students and graduates; development of external funding resources; and formulating and maintaining rapport with the department's external Advisory Board.

223.1.6 SELECTION

When a position becomes available or is anticipated, a committee shall be formed by the department in consultation with the Dean to make recommendations on appointments. The committee shall try to include at least one faculty from outside the department and one student majoring in the department.

The committee should forward two candidate names to the Dean. The Dean shall then make a recommendation to the VCAA/R and the Chancellor for approval.

As an administrative assignment, the Department Head serves at the discretion of the Chancellor.

223.1.7 TERMS

Subject to Section 206.1, Department Heads shall be appointed for one-year terms. The faculty in each department shall evaluate their Department Head annually in a confidential but constructive manner and forward this written evaluation to the Academic Dean. The Academic Dean shall consider these evaluations when making a recommendation for renewal or non-renewal to the Vice Chancellor for Academic Affairs and Research who shall in turn make a recommendation to the Chancellor. The Dean (or Vice Chancellor for Academic Affairs and Research in situations where the Department Head is also a Dean) shall respond in writing to the department's comments.

223.2 ACADEMIC DEAN JOB DESCRIPTION, SELECTION AND TERMS

223.2.1 JOB DESCRIPTION

Deans at Montana Tech of The University of Montana are the leaders and chief representatives of their school/college and, except in extraordinary circumstances, are the conduits through which communications flow to and from their school/college on policy and procedural matters of an academic or administrative nature. The Dean, in consultation with the Department Heads of the school/college, is responsible for setting goals and objectives for the school/college, for developing plans to achieve them, and for periodically assessing progress towards meeting them.

223.2.2 ACADEMIC RESPONSIBILITIES

The Dean, in consultation with the Department Heads, is responsible for development of plans to carry the school/college into the future, for nurturing the growth of programs, for promoting accreditation of all programs, and the development of new programs appropriate to the mission of the school/college's.

223.2.3 ADMINISTRATIVE RESPONSIBILITIES

- The Dean is responsible for developing an annual budget request for consideration by the Chancellor, for modifying the budget based on funds allocated, and for administering the budget.
- The Dean is responsible for developing the staffing plan of the school/college, recommending changes in the plan, and modifying the plan subject to changes in enrollment or budget.
- The Dean is responsible for the appointment of Department Heads, subject to the approval of the Academic Vice Chancellor and Chancellor, and for the evaluation of the Department Heads.
- The Dean is responsible for insuring that published guidelines for applications for tenure and promotion are followed by the departments and that applications are processed in a timely manner.
- The Dean is the primary person to hear disputes or complaints regarding any aspect of the school's/college's performance.

223.2.4 RESEARCH AND PROFESSIONAL CONDUCT

The Dean is responsible for fostering a climate conducive to the conduct of research and for professional development by the faculty and students.

223.2.5 EXTERNAL CONSTITUENCIES

The Dean is responsible for promoting the school/college and its programs to external constituencies.

This includes fostering good alumni, industry and community relations; and the development of external funding.

223.2.6 SELECTION

The Dean is selected by the Academic Vice Chancellor with the approval of the Chancellor. Normally, the choice is made from candidates forwarded by a committee consisting of one faculty member from each program in the

school/college, one faculty from outside the school/college, one student from the school/college, and one Dean from the campus. The committee should include at least one Department Head from the school/college.

As an administrative assignment, the Academic Dean serves at the discretion of the Chancellor.

223.2.7 TERMS

Subject to Section 206.1, Academic Deans shall be appointed for one-year terms. The Department Heads in each school/college shall evaluate their Academic Dean annually in a confidential but constructive manner and forward this written evaluation to the Vice Chancellor for Academic Affairs and Research. The Vice Chancellor for Academic Affairs and Research shall consider these evaluations in determining suitability for renewal or non-renewal when making a recommendation to the Chancellor. The Vice Chancellor for Academic Affairs and Research shall respond in writing to the Department Heads' comments.

SECTION III: ACADEMIC POLICIES and PROCEDURES

301 ACADEMIC PROCEDURES

The current catalog includes policies and procedures on academic matters. Each faculty member is required to become familiar with the catalog. Faculty members who have been assigned the responsibility of advising and counseling students will find the catalog invaluable.

Some of the major catalog items faculty should acquaint themselves with are examinations (challenge, CLEP and final), change of grade, grade appeals, grade of incomplete, withdrawal (both from a course and from the Institution), credit hours, financial aid, academic standing, and position on academic dishonesty.

302 FINANCIAL AID

Montana Tech participates in the following federal financial aid programs:

- Federal Pell Grants
- State Student Incentive Grants
- Perkins Loan Program
- Federal Work Study Program
- Supplemental Educational Opportunity Grants
- Federal Stafford Student Loans

The Financial Aid Director is responsible for all of the above programs in addition to administering the institutional loan program. All financial aid applicants are required to submit an application for federal student aid to determine eligibility.

The Director of Enrollment Processing also disburses scholarship application forms, but the Scholarship Committee and Department Heads (in conjunction with the Financial Aid Office) are responsible for the awarding of all scholarships.

303 PROCEDURES FOR NEW AND MODIFIED DEGREE PROGRAMS

All new postsecondary educational programs (certificate programs, degrees, and addition of minors to existing degrees, options within majors, or minors where a major does not exist) shall be submitted to the Commissioner of Higher Education who will formulate recommendations for the Board of Regents through the Academic and Student Affairs Committee.

Changes in the names of degrees shall be approved by the Board of Regents. In all cases, the Board of Regents may require an appropriate report from outside objective consultants to assist the Board in analyzing the proposal and arriving at a just decision.

A copy of every curriculum proposal shall be forwarded to the Provost/Vice President for Academic Affairs of The University of Montana and to the chief academic officers of the units of the Montana University System six weeks prior to the BOR meetings where the item will be introduced.

Specific procedures for submitting new and/or modified degree programs can be obtained through the VCAA/R Office.

303.1 DEGREE

A specific designation of letters representing the words on the diploma indicating completion or attainment (e.g., B.A., B.S., B.Arch., B.B.A., M.A., M.F.A., Ed.D., D.A., Ph.D.).

303.2 CERTIFICATE

Awarded upon successful completion of entry-level programs, a specialty within an occupational area, and/or upgrading skills and knowledge within an occupation. Usually, certificate programs are no more than 60 semester hours in length.

303.3 MAJOR

The specific field of concentration for the degree. A designated and coherent sequence of courses in a discipline, related disciplines, or professional area in which a student concentrates as a part of a baccalaureate degree program. The requirements of the major are usually defined by one academic department, but may be defined jointly by two or more departments in the case of an interdisciplinary major. Majors may range from 38 to 48 semester hours, half of which must be at the upper division level. Study in the major will conclude with a capstone, integrating experience in which the knowledge and skills learned in the major are applied or demonstrated.

303.4 EXTENDED MAJOR

Where required by professional expectations or specialized accreditation standards, extended majors may be offered in undergraduate programs. The extended major may require up to 80 hours.

303.5 MINOR

The supporting or complementary field undertaken along with a major for a degree. A designated and coherent sequence of courses in a discipline, related disciplines, or professional area which provides support or enhancement of a student's major in a baccalaureate program. Minors may range from 18 to 30 semester hours of credit, one-third of which must be at the upper division level.

303.6 OPTION

One of two or more alternative tracks available to students in an associate degree, baccalaureate minor or major or graduate degree program. Each option consists of a core of required courses in the program plus required and/or elective courses in the specialty area indicated by the title of the option. The core of required courses must constitute at least one-third of the hours required for the program.

303.7 NEW POSTSECONDARY EDUCATIONAL PROGRAMS

All proposals for a new series of courses arranged in a scope or sequence leading to a certificate, option, major, or minor where a major does not already exist.

304 POLICY FOR CHANGING FACULTY/STAFF HANDBOOK

Changes in the Faculty/Staff Handbook can come as new or changed policy from the Board of Regents, or may be proposed by faculty members, the Faculty Senate, staff, or the Administration.

Proposed changes will be discussed in open meetings with the affected parties and the Administration before recommendations are forwarded to the Chancellor. Normally, all institutional policies are reviewed by the Chancellor's Cabinet, Dean's Council, and ASMT. Additionally, the Faculty Senate reviews matters pertinent to their responsibilities.

All proposed changes directly involving academic issues will be carried in writing, either by a faculty member, the Faculty Senate, or by the Administration, to the Faculty Senate and followed by a discussion in a faculty meeting. A recommendation will require an affirmative vote at a general faculty meeting.

The Chancellor must approve all changes to the Faculty/Staff Handbook. It is expected that the Chancellor will discuss with the affected parties the reason for disapproval of a proposed change or insertion of new items to the Faculty/Staff Handbook. (Policy approved at May 6, 1992 Faculty Meeting.)

305 POLICY MATTERS PRESENTED AT FACULTY MEETINGS

Any motion that affects policy matters concerning academic affairs, or matters of interest to the faculty, must be presented to the faculty at least 48 hours prior to the Faculty Meeting. (Faculty action taken January 6, 1977.)

Those in attendance will constitute a quorum, given that there has been proper notification of the meeting and that it occurs during the normal academic year.

306 TRANSCRIPT OF ACADEMIC RECORDS AND RELEASE OF INFORMATION

A student's permanent record of academic information is termed a transcript. The Director of Enrollment Services is responsible for the maintenance of accurate and readily available student academic records, and for the use and release of information from these records. Information about students will be released only as authorized by state and federal laws or by the individual student.

Montana Tech will release to outside agencies or persons upon request the names, campus and home address, class in school, degree type and date, dates of attendance, and other information regarding the student considered directory information under federal law.

Any student who does not wish directory information released should notify the Office of Enrollment Services prior to registration. The Institution will not release other information considered academic or personal in nature without written permission of the student, or unless subpoenaed by a court, agency, or tribunal of competent jurisdiction.

Transcripts of a student's permanent record are issued by the Institution only upon written request of the student for personal use or to be sent to designated persons. Transcripts of grades and honorable dismissal will be given only to students who have met all financial obligations to the Institution. Official transcripts are available for a small fee.

306.1 RECORD OF DECEASED STUDENTS

The records of deceased students may only be released by the Institution's Director of Enrollment Services. Records will be released to survivors in the following order of succession:

- the spouse at the time of death;
- a parent;
- the executor of the estate;
- the eldest surviving child;
- the eldest surviving sibling;
- any surviving descendent.
- The petitioner must provide as much of the following student information as possible with a records request:
 - Name (and maiden name, if applicable);
 - Social Security number;
 - The dates that the deceased student attended Montana Tech;
 - Death certificate (a photocopy is acceptable).

- The petitioner must provide the following personal information with a records request:
 - Name;
 - Address;
 - Evidence that he/she is qualified to receive the records, based on the above criteria or, in the absence of evidence, a statement certifying same;
 - Phone number;
 - Signature;
 - Date of Request.
- The request should be addressed to the Director of Enrollment Services.

307 PROCEDURES TO APPEAL A FINAL GRADE FOR A COURSE

(Approved at April 21, 1994 Faculty Meeting. Changes approved at December 10, 2009, Faculty Meeting.)

When a student believes a final grade has been improperly recorded by a faculty member, the following procedural steps for an informal and/or formal appeal are to be followed. The "burden of proof" in the grade appeals process shall rest with the student.

307.1 INFORMAL GRADE APPEAL

1. Regardless of the circumstance, the student must attempt to resolve the matter via a personal conference with the course instructor within 14 days after the semester grade is posted to the student's file.
2. If the student is unable to arrange a conference, or a mutually satisfactory resolution to the problem cannot be reached, the student may request in writing that the Department Head convene a meeting with the student and the course instructor within 14 days of the written request. If a Department Head or Dean is the instructor involved in the appeal, the student may request in writing that the Vice Chancellor for Academic Affairs appoint another Department Head or Dean to convene the informal meeting.
3. If the grade issue is not resolved at this meeting, the student may request a formal grade appeal.

In any case, no formal grade appeal will be accepted unless initiated within the first 30 days of the start of the next regular semester.

307.2 FORMAL GRADE APPEAL – COMMITTEE HEARING

1. An appeal for a formal grade review must be submitted to the Vice Chancellor for Academic Affairs within 14 academic days after the informal grade appeal process has failed. The request must include a written explanation of the circumstances that the student believes justifies an appeal to change a final grade for a course, and a written statement describing the informal attempt to resolve the issue.
2. If the Vice Chancellor for Academic Affairs determines that grounds for a formal grade appeal exist, he/she will request the Academic Standards Committee to review the issues and will request appropriate course materials and records from the student and from the course instructor.
3. The Academic Standards Committee shall examine all evidence (verbal and/or written) that the student and instructor present and will determine whether to recommend a final grade change. The primary consideration afforded the student will be whether or not the student was dealt with fairly with respect to other students in similar circumstances.
4. By majority vote, the Committee shall recommend letting the final grade remain unchanged, recommend the assignment of a new letter grade, or recommend alternative action(s) necessary to resolve the grade appeal.

5. If a new final grade or alternative action(s) is/are recommended by the Academic Standards Committee, the Vice Chancellor for Academic Affairs will meet with the involved faculty member to review the recommended action.
6. The Vice Chancellor for Academic Affairs will make a final determination.

Every attempt will be made to complete the entire appeal process within 30 days of the initiation of the formal appeal process.

The review by the Academic Standards Committee and Vice Chancellor for Academic Affairs shall be the final campus appeal for the assignment of a final grade.

308 ACADEMIC DISHONESTY

(Changes approved at December 10, 2009, Faculty Meeting)

The following will be considered acts of academic dishonesty or cheating:

308.1 PLAGIARISM

A student will be considered guilty of academic dishonesty if he/she submits a term paper, essay, speech, laboratory report, or other assignment in which all or part of the words or ideas are copied from the published or unpublished work of another individual without giving the original author proper credit for the words or ideas.

308.2 COPYING FROM THE PAPER OF ANOTHER STUDENTS WHILE TAKING AN EXAM

A student will be considered guilty of academic dishonesty if he/she deliberately looks at and copies from another individual's examination paper during an examination.

308.3 USING UNLAWFUL AIDS TO PASS AN EXAMINATION

A student will be considered guilty of academic dishonesty if he/she brings to class and uses crib notes, electronic devices (e.g. cellphones) books, or any other material to assist him/her in passing the examination unless the instructor of the class has specifically given permission to use such materials.

308.4 AIDING ANOTHER STUDENT

A student will be considered guilty of academic dishonesty if he/she willfully assists another student in any act of academic dishonesty. Such a person is as equally guilty as the person plagiarizing or copying.

308.5 UNAUTHORIZED SIGNATURES

The use of a person's signature without permission is a serious matter and the consequences can be severe. Possible consequences include:

- a. Being dropped from the course by the instructor, department head, dean of the college, or the University.
- b. Loss of tuition paid for the course.
- c. University disciplinary action such as probation, suspension, expulsion, and correction of all course grades.
- d. Loss of priority for the course or courses during registration.

308.6 ACTIONS TO BE TAKEN WHEN CHEATING IS DISCOVERED

1. Instructors are responsible for taking reasonable precautions to prevent and discourage cheating in their classes and must report all cases to the Office of the Vice Chancellor for Academic Affairs.

2. If it is determined that a student is deliberately cheating on an examination or a written or oral assignment, he or she should receive a grade of "F" on that examination or assignment as a minimum penalty. The instructor may drop the student from the course with an "F" grade.
3. In reported cases of repeated cheating, the Academic Standards Committee may consider applying additional penalties beyond those imposed by the individual instructors, up to and including expulsion.

309 FACULTY SCHEDULES

Each member of the instructional faculty will be required to forward a copy of his/her class schedule at the beginning of each semester to the VCAA/R Office. These schedules are used for the purpose of arranging meetings, location in case of emergencies, phone calls, etc.

310 SPACE UTILIZATION AND SCHEDULING

The Scheduling Office, located in the SUB, schedules rooms and other facilities for meetings and events for the public and the Montana Tech community. Academic space used for non-instructional purposes is also scheduled through the Scheduling Office with the approval of the Director of Enrollment Services. The Director of Enrollment Services schedules and assigns all classroom space for instructional use. The use of space for faculty offices, laboratories, and research is determined ultimately by the Chancellor through recommendations provided by the Space Utilization Advisory Committee. The Space Utilization Advisory Committee is chaired by the VCAA/R. Non-academic space in the HPER Building is managed by the HPER Facilities Manager, under the direction of the Athletic Director. However, with the exception of intercollegiate athletics, public and college use of the HPER is arranged and scheduled through the campus Scheduling Officer.

The Scheduling Office makes arrangements for banquet and catering services, and provides logistical support for any program including conference housing. The use of alcohol at any campus event must be arranged and approved by the Chancellor through the Scheduling Office.

311 ACADEMIC YEAR

Montana Tech operates on the semester calendar. Academic Year (AY) faculty Board of Regent contracts normally run from mid-August through mid-May. However, some faculty are on AY+1 contracts that normally run from 8/1 through 5/31. All faculty members are expected to comply with the academic year. Academic Deans will administer this policy.

Requests for exceptions to the above policy should be transmitted on "Application for Leave" forms for review and approval by the VCAA/R and final approval by the Chancellor.

312 OFFICE HOURS

Each faculty member should post a notice on his/her office door indicating regular office hours. Office hours should be chosen with a view toward convenience of students and colleagues. In addition, faculty members should make as much time as possible available to their students for counseling and assistance. Three hours weekly is considered a minimum and faculty are encouraged to have an open-door policy.

313 EQUAL EDUCATION OPPORTUNITY POLICY: MONTANA TECH OF THE UNIVERSITY OF MONTANA EQUAL EDUCATION AND EMPLOYMENT POLICY STATEMENT

It is the policy of **Montana Tech** to provide equal educational and employment opportunity (EEO) to all persons regardless of race, color, religion, creed, sex, national origin, age, mental or physical disability, marital status, sexual orientation or political belief with the exception of special programs established by law.

Equal educational opportunity includes admission, recruitment, extracurricular programs and activities, housing, facilities, access to course offerings, counseling and testing, financial assistance, employment, health and

insurance services, and athletics. Title IX of the Educational Amendments of 1972 prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance by way of grant, contract, or loan.

Montana Tech will take affirmative action (AA) to equalize employment opportunities at all campus levels where evidence exists that there have been barriers to employment for those classes of people who have traditionally been denied equal employment opportunity.

Montana Tech makes a commitment to provide reasonable accommodation to any known disability that may interfere with an applicant's ability to compete in the selection process or an employee's ability to perform the duties of the job.

Montana Tech guarantees employee protection against retaliation for lawfully opposing any discriminatory practice, including the filing of an internal grievance alleging unlawful discrimination, the filing of a union grievance, the initiation of an external administrative or legal proceeding or testifying in or participating in any of the above.

The Chancellor has ultimate authority and responsibility for establishing equal employment opportunity as a policy at **Montana Tech**. The Chancellor pledges to promote and support practices that protect the right of equal employment opportunity.

The designated EEO Officer for **Montana Tech** is Maggie Peterson. She is responsible for coordinating the campus' EEO/AA program and for resolving applicant/employee EEO complaints. Maggie's office is in MG 302 and her phone number is 496-4316.

SECTION IV: STATE TRAVEL REGULATIONS

401 EMPLOYEE TRAVEL (BOARD POLICY 807.1)

<http://mus.edu/borpol/bor800/8071.htm>

The agencies of the Montana University System will comply with state statutes regarding travel and will generally follow the rules for travel that have been promulgated by the Department of Administration with the exception described below. Employees will travel in the most efficient and cost-effective manner possible while still able to accomplish the purpose of the travel. Whenever possible, employees will utilize “expanding technologies to interface with out-of-state agencies and other entities in an attempt to reduce travel expenditures,” as was recommended by the 55th Legislature.

The Montana University System will generally follow the Department of Administration manual concerning lodging reimbursements. The maximum lodging reimbursement for out-of-state lodging is the maximum standard federal lodging rate or CONUS rate unless the location is listed in the federal schedules with a specific maximum lodging rate that is higher than the standard. The official federal per diem schedules are available on the Internet at the following location:

<http://www.doa.mt.gov/doatravel/travelmain.asp>

However, the University System agencies may reimburse employees for the actual cost of out-of-state (or foreign) lodging if one of the following criteria has been met and the employee received prior approval to be reimbursed at the higher rate. The Commissioner may designate campus approving authorities.

1. Government rates were requested and were not available at the hotel where the employee is staying; or
2. The purpose of the travel is to attend a conference, career fair, recruitment fair or similar event and the event is either being held at the lodging site or the lodging site has been designated as the recommended lodging site for the event.

Please see the appropriate links at http://www.mtech.edu/accts_pay/ for updates and more details about the State travel policy and the Montana Tech travel policy.

402 STATE VEHICLE USE

The following rules define acceptable uses for state-owned or leased motor pool vehicles as provided in 2-17-424, Montana Code Annotated (MCA). For a searchable version of the MCA, please visit http://data.opi.mt.gov/bills/MCA_toc/index.htm. State employees or authorized individuals may be subject to additional guidelines, policies, insurance coverage exclusions, or regulations for vehicle/equipment fleet operations, provided that they do not conflict with these rules. Drivers and passengers must use installed seat belts at all times.

402.1 DEFINITIONS

The following definitions apply:

1. “State” as defined in 2-9-101, MCA.
2. “State employee” as defined in 2-9-101, MCA.
3. “State vehicle” means a motor vehicle, semi-trailer, snowplow, or other vehicle designed for travel on public roads, that is subject to motor vehicle registration, including any machinery or apparatus attached to the vehicle. The term includes the following:

- a. a “leased vehicle obtained by the state through an open-ended lease or lease with an option to buy contract”;
- b. a “loaned vehicle” provided to the state as a gratuity;
- c. an “owned vehicle” to which the state has title; and
- d. a “rented vehicle” rented by the state for a fee, typically for short-term use in Montana or for out-of-state travel.

402.2 AUTHORIZED DRIVERS AND USES

Except as otherwise provided in this rule, the following individuals may operate a state vehicle if the driver possesses a valid driver’s license appropriate to the type of vehicle to be driven, meets driver requirements set out in Administrative Rules of Montana (ARM) 2.6.205, and the uses are as provided below:

1. A state employee to conduct business on behalf of the state;
2. A state employee in travel status to obtain food and lodging and to respond to medical emergency situations;
3. A state employee required to conduct state business to obtain items needed while in travel status;
4. A state employee may park a state vehicle overnight at the employee’s residence if the employee must begin travel the next day or if the employee is subject to emergency response, on-call, or other off-shift duty associated with state employment.
5. A state employee required to stay overnight at a location other than the employee’s established work location during non-work time to drive to a cultural, recreational, or leisure activity or to conduct other personal business, if the activity is within 30 miles of the employee’s lodging;
6. A non-state employee enrolled and registered as a student at a university of the state to conduct university business;
7. A non-state employee to aid or assist a disabled state employee if the aide has completed the risk management and tort defense division’s (RMTD) vehicle use agreement and obtained authorization from the agency head or designee prior to the use;
8. A non-state employee to assist a state employee or other individual during a medical emergency for transportation and related purposes. Prior approval is not required.
9. A non-state employee who is an independent contractor or an employee of a temporary employment agency contracting with the state with prior approval from the agency head when a state employee is not available to operate the vehicle. The contractor must complete the RMTD’s vehicle use agreement. The agreement must be signed by the agency head and presented to the motor pool or affected state agency prior to the use; and
10. A non-state employee accompanying a state employee on official state business where the state employee becomes ill, fatigued, or is otherwise rendered physically or mentally incapable of driving and/or a compelling state interest is served by allowing the non-state employee to drive. Prior approval is not required.

Any exception to the authorized drivers and uses requires the prior written approval of the risk management and tort defense division. For a searchable version of the Administrative Rules of Montana, please see <http://www.mtrules.org/>.

402.3 AUTHORIZED PASSENGERS AND USES

Except as otherwise provided in this rule, the following individuals may ride as passengers in a state vehicle:

1. State employee conducting business on behalf of the state; or
2. A non-state employee who is:
 - an independent contractor conducting business on behalf of the state;
 - an aide rendering assistance to a disabled state employee;
 - a guest or client of the state, including a public employee, if conducting, participating in, or providing a benefit to the conduct of state business;
 - rendering assistance during an emergency situation; or,
 - a nursing infant if the parent is an authorized driver or passenger.

Any exception to the authorized passengers and uses requires the prior written approval of the risk management and tort defense division.

402.4 DRIVER REQUIREMENTS

1. Non-probationary employees required to drive as part of their job, who have accumulated 12 or more conviction points according to the schedule specified in 61-11-203, MCA, (<http://data.opi.mt.gov/bills/mca/61/11/61-11-203.htm>) over the most recent 36 months may not drive a state vehicle or personal vehicle for state business until having successfully completed a certified safe driver course approved by the RMTD and received authorization to drive from their agency head and RMTD. State employee drivers who have accumulated 15 or more conviction points according to the schedule specified in 61-11-203, MCA, may not drive a state vehicle or a personal vehicle for state business until the accumulated point total is less than 12 within the past 36 months.
2. Non-probationary employees who have accumulated 18 or more points in the immediately preceding 36 months may not drive a state vehicle or a personal vehicle for state business until two years have passed during which they have not accumulated any conviction points according to the schedule specified in 61-11-203, MCA, have successfully completed a certified safe driver course approved by RMTD, and received authorization to drive from their agency head and RMTD.
3. A state employee required to drive as part of the employee's job shall report any single driving infraction of five or more conviction points according to the schedule in 61-11-203, MCA, accumulated while driving a state vehicle or a personal vehicle for state business to the employee's supervisor within 10 days of conviction.
4. A state employee required to drive as part of the employee's job shall report to the employee's supervisor an accumulation of conviction points of 12 or more according to the schedule in 61-11-203, MCA, for the past 36 months immediately preceding the infraction, whether accumulated while driving a state vehicle, while driving a personal vehicle for state business, or while driving a motor vehicle for any purpose within 10 days of the accumulation of 12 or more points.
5. Authorized drivers are responsible for promptly paying all penalties following the court procedures established for contesting citations.
6. The above requirements also apply to those individuals authorized to drive under the conditions listed in ARM 2.6.205.
7. The requirements specified in this rule apply to conviction points received after October 12, 2001.
8. An agency has the authority to restrict employees if it is aware through means other than the accumulation of conviction points that they are unsafe drivers.

402.5 ALCOHOL AND DRUGS

- 1. No person under the influence of alcohol, illegal drugs, or improperly used prescription drugs may drive a vehicle for state business.
- 2. No person may drive a vehicle for state business under the influence of any legally prescribed drug if that drug affects the person’s ability to safely operate the vehicle.
- 3. No person may have an alcoholic beverage container in the passenger compartment of a state-owned, leased, or loaned vehicle.

402.6 CELL PHONE USE

- 1. State employees shall drive in a careful and prudent manner so as not to unduly or unreasonably endanger the life, limb, property, or rights of a person entitled to use a street or highway.
- 2. State employees are strongly encouraged not to use handheld cell phones or other handheld electronic communications devices or objects while operating state vehicles or personal vehicles on state business. Exceptions to this rule are law enforcement and emergency response personnel.

402.7 DISCIPLINE

Failure to comply with the requirements of these rules may result in disciplinary action, including suspension or termination. Any supervisor who becomes aware of any violation of these rules by an employee they supervise shall take appropriate disciplinary action according to the state discipline policy set forth in ARM 2.21.6501 through 2.21.6509, 2.21.6515, and 2.21.6522.

403 COLLEGE MOTOR POOL

The State Motor Pool establishes the rules and regulations for maintenance and operation under which the College Motor Pool operates. Applicable portions of state regulations and rules are set forth below.

The Physical Facilities Department dispatches all Motor Pool vehicles and maintains operating and service records. The Director of Physical Facilities is the administrator responsible for the operation of the Motor Pool. Dispatching is conducted by an assistant in this department.

Charges for vehicle use are made to the various departments through the Business Office. For a list of current mileage rates for motor pool vehicles, please visit the mileage and meal rate reference link at http://www.mtech.edu/accts_pay/.

Because the Motor Pool is self-insured, the cost to repair vehicle damage is a direct cost. The department issued a vehicle will be responsible for the first \$250.00 for negligent/accidental damages.

In addition, any vehicle requiring other than routine cleaning will be assessed a \$20.00 charge to the billing for the vehicle use (e.g., if it is necessary to clean up food and beverage containers, pop cans, etc.).

A Trip Report form, keys and credit card are supplied for each trip requested. A copy of the Rules and Regulations is in each vehicle or available at the Physical Plant office. The person who signs out a vehicle is responsible for completion of the Trip Report form and return of all credit charge slips, as well as the vehicle keys and credit cards, at the earliest possible time upon completion of the trip. Bills or invoices for necessary repairs, etc., shall also be turned in with the completed Trip Report form.

Operators should return the vehicle in as good condition as when it was received. Additional fines will be levied for the following:

Keys Not Returned	\$10.00
Gas Tank Not Filled	\$10.00

Trip Report Not Filled Out	\$10.00
Vehicle Not Returned to Lot	\$25.00
Not Cancelling Car Reservation (by morning of day checked out)	\$10.00
Towing Charge (as a result of accident)	\$55.00
Cleaning Charge	\$20.00

403.1 INSTRUCTIONS FOR EMERGENCY REPAIRS, SUPPLIES AND SERVICES

If you must obtain tires, alignment, glass replacement, engine repair, etc., check first with the Motor Pool dispatcher (406) 496-4168 for choice of vendor and purchase requisition number. If dispatcher is not available, have repairs made at a service station and billed on the state card (for in-state travel) or company credit card (if out-of-state travel), or pay for repairs with personal credit card and be reimbursed by Motor Pool petty cash or claim against the car account. Bring all invoices and receipts for emergency work to the Motor Pool dispatcher when returning vehicle. Persons using Motor Pool vehicles should know that:

- Vehicle Registration Card is on file in the Physical Plant office at Montana Tech.
- A copy of the Vehicle Exempt Card is in the packet in the glove compartment (additional copies may be obtained from the dispatcher).
- A copy of the accident form is in the packet in the glove compartment.

403.2 RATES OBSERVED BY MOTOR POOL

If a Motor Pool vehicle is not available for official travel and you choose to use your personal vehicle, you will be reimbursed at the highest mileage rate in effect. The Motor Pool dispatcher must send an authorization for the higher rate to the Accounts Payable Office.

If a Motor Pool vehicle is available and you choose to use your own vehicle, the rate of reimbursement will be at the lowest mileage rate in effect. Exceptions to this policy may be made by the Chancellor.

404 AUTHORIZATION FOR TRAVEL

Form required: Request and Justification for In-state and Out-of-state Travel

Travel Authorization forms can be obtained through the Accounts Payable Office (MG 303) or online at http://www.mtech.edu/accts_pay/. Completed forms must be submitted for approval and returned to the Accounts Payable Office prior to travel.

Important items to remember:

- Transportation shall be the most economical in terms of direct cost to the State and employee time away from the office.
- An agenda or conference program shall accompany the request for travel.
- Travel requests must be submitted in advance of travel.
- The Institution will prepay registration fees upon request with an approved travel authorization form.
- Tickets for travel by means of a common carrier must be purchased via Procard. Travel only ProCards may be issued for individuals who only require one for traveling. Travel exceeding \$5,000 (typically

group travel) may be purchased through the use of a purchase order issued through the accounts payable office. For additional information contact the Accounts Payable Office at 4376.

405 REIMBURSEMENT FOR TRAVEL EXPENSES

Form Required: Travel Expense Voucher

Travel Expense Vouchers can be obtained from the Accounts Payable Office or online at http://www.mtech.edu/accts_pay/. Claims for reimbursement or expenses due to state travel are to be filled out within 30 working days after travel is completed. Employees who do not file for reimbursement of travel costs within three months after incurring the expense waive their right to reimbursement unless approved by appropriate university staff. A copy of the Request and Justification for In-State and Out—Of-State Travel should be attached to the reimbursement request. Per diem and miscellaneous expenses must be listed by days -- not one lump amount for the entire trip. Receipts for all expenditures (lodging), except small incidental items, must be attached to the claim.

Important items to remember:

- Reimbursable travel expenses include only those incurred while traveling in connection with official state business. Expenses incurred during periods of vacation time while in a travel status are not allowed.
- Departure time and return is normally considered to be when an employee leaves from and returns to headquarters. However, if the employee departs directly from place of residence and returns directly to place of residence without a stop at headquarters, then the time leaving from and returning to the residence becomes the time to be used in computing allowance. For an employee who leaves directly from place of residence and returns to headquarters after the trip, the starting time would be residence and the ending time would be headquarters.
- A warrant will be processed through our state warrant procedures for net reimbursement due an employee.
- Travel expense allowances payable to most state employees on official travel status are summarized by a schedule available online at http://www.mtech.edu/accts_pay/.

To be eligible for a meal reimbursement while traveling on state business, the employee must have been in a "travel status" for more than three (3) hours and be a distance of at least fifteen (15) miles from origination or home, whichever is closer. The amount of reimbursement and the number of meals the employee is eligible for depends upon whether the duration of travel was less than 24 hours or 24 hours or more, and the traveler's relationship with the "travel shift."

- A receipt is required if an individual miscellaneous expense exceeds \$25.00 per day.

406 HIGH COST CITIES

A current list of high cost cities (domestic cities including Montana cities) may be obtained online at http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_BASIC&contentId=17943.

Reimbursement for the actual cost of lodging is authorized for these cities. However, agencies are responsible for monitoring the costs associated with travel to designated areas and are encouraged to establish internal policies on the selection of appropriate lodging at reasonable cost.

If an employee anticipates travel to an out-of-state city they believe is high cost, but that city is not listed above, the agency may provide evidence of the city's lodging costs to the Department of Administration and ask that the city be designated as high cost. If the evidence provided shows that the city's cost of lodging exceeds \$70 a day, the city will be designated as high cost and added to the list.

Acceptable sources to obtain lodging cost information include:

Hotel and Motel Red Book - available through the Lewis & Clark Library, 120 South Last Chance Gulch, Helena, MT. Reference number 647.94H. Publication is updated quarterly.

Mobile Travel Guide - Major Cities and Mobil Travel Guide - Northwest and Great Plains States - available through the Montana State Library. Reference numbers 910.2T and 917.3T. Publications are updated annually.

OAG Hotel and Motel Red Book/Travel Planner - available through the Montana State Library. Reference number R/917.2/OAG TRA.

Runzheimer International provides meal and lodging cost information for any city or town in the United States. Call or send a letter of request and list of cities to the address listed below. The charge is \$65 per city for this customized information.

Runzheimer Meal-Lodging Cost Index

Runzheimer International Publications Division

555 Skokie Boulevard, Suite 245

Northbrook, IL 60062

(312) 291-9011

If an employee anticipates travel to a city not surveyed by one of the above sources, the employee or state agency may conduct its own survey of hotel/motel rates in that area and the agency may provide the results of the survey to the Department of Administration.

The "high cost" area is defined as the area contained in the city limits plus the area within 15 miles of the city limits (if suburbs are not listed). The area immediately surrounding the city's airport would also be included if it is not within the areas described above.

407 FOREIGN TRAVEL

For travel to a location outside of the United States, allowances for meals and lodging follow the United States Department of State maximum travel per diem allowances for foreign areas as established in Section 2-18-501(4), MCA. The federal schedules for foreign travel are available in the Department of Administration or at the following Internet site: <http://www.doa.mt.gov/doatravel/travelmain.asp>

SECTION V: GENERAL EMPLOYMENT PRACTICES

501 HIRING PROCEDURES

501.1 NONDISCRIMINATION

All searches and hiring decisions first and foremost will seek to identify the most qualified candidate. In the process, all employees and applicants for employment are guaranteed Equal Employment Opportunity -- freedom from discrimination on the basis of race, sex, color, national origin and religion -- by Title VII of the Civil Rights Act of 1964, as amended. In addition, the Montana Human Rights Act includes further guarantees of nondiscrimination on the basis of creed, physical or mental disability, age and marital status. Montana Tech complies with the Americans with Disabilities Act (ADA) and will provide reasonable accommodations to persons with disabilities.

Montana Tech guarantees Equal Employment Opportunity by:

- Developing and complying with uniform recruitment and hiring procedures which will include a search and selection plan approved by the appropriate Vice Chancellor and reviewed by the AA/EEO representative of the Chancellor;
- Advertising positions in appropriate recruitment sources where potential applicants can learn of vacancies;
- Appointing committees whose members are informed about AA/EEO to review applications and conduct interviews. No committee will begin its work until properly advised by the AA/EEO representative of the Chancellor's Office.
- Collecting AA/EEO information about applicants and using this data to monitor Tech's hiring practices;
- The search committee, the appointing authority and his/her designees will apply the principles and seek to achieve the objectives of the Institution's Minority Achievement and Gender Equity Plan.
- To the extent possible, women and minority persons will sit on search committees.
- It is understood that if all else is equal between candidates, an affirmative action decision will be made in order to increase the participation of women and minorities on the staff and faculty of Montana Tech.
- The search committee will submit their recommendation for hire to the Chancellor along with a written explanation outlining the efforts made to comply with AA/EEO, especially if a woman or minority person is not selected.

501.2 RECRUITMENT

Form Required: Personnel Requisition Approval Form (PRA)

Forms are available through the Personnel Office or at <http://www.mtech.edu/employment/>. Recruitment will not be initiated until the PRA is completed by the hiring authority and received in Personnel with appropriate signatures and budgetary approval secured. (Hiring arrangements for full-time student applicants are handled through Career Services).

Personnel will prepare the vacancy announcement and a brief advertisement from the PRA outline as well as distribute the announcement and place the appropriate advertisements.

In general, national searches require advertisements in at least one journal or newspaper with national distribution. Regional searches require advertisement in regional newspapers, state searches in statewide newspapers, and local

searches in the *Montana Standard* or other applicable local papers. Internal or on-campus searches must be advertised on campus bulletin boards and/or through campus newsletters -- written or electronic. All advertised jobs will be posted at the Butte Job Service.

Search procedures and information are available at <http://www.mtech.edu/hr/Recruitment.html> or through the Personnel Office. The Chancellor or designee will make or authorize the actual job offer with the Personnel Office.

501.3 SEARCH AND SELECTION FOR REGENTS' CONTRACT AND CLASSIFIED POSITIONS

Search and Selection Committees will normally be comprised of persons in the office or program in which the position resides. The search will most generally be chaired by the supervisor of the vacant position. Committees are encouraged to include members of the faculty and students. When possible, membership on committees should include women and minorities. Committees will comply with the Institution's Equal Educational Opportunity Policy and Minority Achievement and Gender Equity Plan. First and foremost it is the duty of the Search and Selection Committee to recommend the most qualified candidate. When the final choice is between equal candidates, and a woman or minority candidate is available, the affirmative action choice shall be made. The Chancellor will be the ultimate decision-maker concerning which candidate shall be offered the position. However, the decision will be made after full and meaningful discussion with the Committee and review of the AA/EEO Officer.

The Institution's guide for search and selection shall be the framework for the committee's actions. Further, searches will comply with the requirements stated at the beginning of this section of the Handbook -- 501.

501.4 RELOCATION EXPENSES

Distance from Butte will be the criterion for moving expense reimbursement. The established rates are maximums and not minimums. Exceptions to the policy may be made by the Chancellor (or the appropriate Vice Chancellor if the Chancellor chooses to delegate authority). Classified, part-time, and temporary staff do not receive relocation expense reimbursement. Executive level staff are exempted from this policy; however, the policy is used as a guide.

Reimbursement guidelines apply only to new employees residing in the continental United States, and the immediate family cannot be compensated for relocation from state funds. Travel by plane or train will be paid on the basis of tourist fare on the most direct route from a new employee's residence to Butte. For new employees moving to Butte from outside the United States, relocation expenses must be negotiated between the new employee and the appointing authority with approval by the Chancellor.

501.4.1 NEW EMPLOYEE RELOCATION EXPENSE REIMBURSEMENT RATES

Household Moving Expenses (0-750 miles)	\$ 1000.00
Household Moving Expenses (751-1499 miles)	\$ 2000.00
Household Moving Expenses (1500+ miles)	\$ 3000.00
Mileage first 1,000 miles (one car only)	\$.55/mile
Mileage in excess of 1,000 miles	\$.52/mile
Lodging (out of state)	\$Actual/night

Lodging (in state) (One night in Butte)	\$72.00 + tax/day
Meals (out of state)	\$41.00/day
Meals (in state)	\$23.00/day

The above rates are updated periodically and notice of any changes will be distributed to the campus community.

- Expenses will be payable upon presentation of claims following arrival in Butte.
- Receipts for lodging (employee only) and moving of household goods must be presented before payment can be made.
- There may be tax implications for persons receiving certain reimbursement.

501.5 STUDENT EMPLOYMENT

Career Services helps connect students and employers. Together with Enrollment Processing (Financial Aid) and Payroll, Career Services helps promote on-campus employment and facilitates job postings, paperwork and timecards. Openings for student employment should be listed with Career Services or posted online in DIGGERecruiting. The posting information should include a definition of the position, required qualifications, person to whom applicant should apply, wage and any other pertinent information. DIGGERecruiting is available for all students and prospective students to view positions online. Students are able to search for on-campus openings and be notified when openings match their search criteria. Additional information and paperwork are available online at www.mtech.edu/career/studentemployment.

502 BENEFITS

502.1 ADMINISTRATIVE PERSONNEL LEAVE (BOARD OF REGENTS' POLICY 801.2)

Form Required: Application for Leave (obtained from the Personnel Office)

Presidents, chancellors, vice presidents and vice chancellors, deans, directors, and other administrative personnel as well as the Commissioner of Higher Education and members of his staff are eligible for Administrative Personnel Leave. Supervisory personnel in positions not directly related to academic administration are eligible for Administrative Personnel Leave also. Such leaves shall be granted according to the following procedures.

1. Administrative personnel leaves shall be subject to budget limitations that may exist.
2. Satisfactory programs or projects include study, research, travel, related work in other institutions or private or business organizations or other activities which the president, chancellor or Commissioner of Higher Education agree will improve the staff member professionally or which directly or indirectly benefit the campus, the university system or the State.
3. Requests for such leave must show value to the respective campus or commissioner's office and cause no impairment of the campus or office programs because of the applicant's absence.
4. Any individual receiving an administrative leave will be expected to return to his or her university system employment for at least one contract period or to repay money received from the university system while on leave.
5. Administrative leave shall not be deemed earned leave time, nor become vested right or interest, nor be, nor become, an implied provision of any contract.
6. Each president and chancellor shall submit an annual summary of administrative leaves to the Commissioner of Higher Education and Board of Regents upon request.
7. All applications for administrative leave shall be submitted to the President or Chancellor of the campus, or if applicable to the Commissioner of Higher Education, allowing sufficient time for evaluation prior to the beginning of the leave. Requests for administrative leave for presidents must be recommended by the

Commissioner of Higher Education. All leave requests shall be submitted to the Board of Regents through the Commissioner of Higher Education for approval.

8. Campus procedures for implementing this policy shall be developed by the unit, shall be generally consistent throughout the Montana University System, and shall be filed with the Commissioner of Higher Education.

502.2 LEAVE WITHOUT PAY (BOARD OF REGENTS' POLICY 801.3 AND MOM 3-0330)

Form Required: Application for Leave (obtained from the Personnel Office)

- A. Faculty, administrators and professional supervisory personnel are eligible for a leave of absence without pay after two years of continuous service. Requests for leave without pay must be approved in accordance with the procedures of this policy. All approvals of leave shall take into account the needs of the campus, the university or the system, as appropriate.
- B. Faculty, administrators and non-faculty professional and administrative employees are eligible for a leave of absence without pay after two years of continuous service in accordance with the following procedures.
- C. Requests for leave without pay must be approved in accordance with this policy. All approvals of leave shall take into account the needs of the campus, the university or the system, as appropriate.

502.2.1 PROCEDURES

1. Leaves without pay shall not be deemed earned leave time, nor be deemed or become a vested right, interest, or an implied provision of any contract. The board of regents retains the right to amend, alter, rescind or abolish this leave policy at any time.
2. Leaves without pay shall normally not exceed two years in duration.
3. Campus chief administrators (presidents, chancellors, or deans in Helena and Great Falls) shall have authority to approve leaves for employees of their campuses. The commissioner of higher education shall have authority to approve leaves for the office of commissioner of higher education employees, except that the board of regents shall approve leaves without pay for the commissioner, chief campus administrators, and the cabinet-level administrators at the office of the commissioner of higher education.
4. Employees who are on an approved leave of absence without pay may continue to be covered by the employer's group insurance for up to two years provided they pay the amount of the employer's contribution plus any required employee contribution. Payment must be made to the business office prior to the close of the payroll date in order for the coverage to be effective.

An employee desiring leave of absence without pay shall request advance approval from the supervisor. Approval of any leave without pay for five or more consecutive days shall be obtained in writing from the supervisor. The maximum leave of absence shall not exceed one year.

Vacation and sick leave credits do not accrue when an employee is on leave without pay and the employer's contribution to medical insurance is discontinued if the leave exceeds fifteen working days. However, an employee may remain on group medical insurance by personally paying the amount of the employer's contribution plus the regular monthly premium. No time on leave without pay may be considered for probationary period purposes. No holiday pay is paid for holidays which fall during leave without pay.

502.3 ANNUAL VACATION LEAVE (MCA 2-18-611 THROUGH 2-18-617, MOM 3-0305)

Academic employees on AY or AY+1 contracts are not entitled to annual vacation leave accrual even though they may work during the summer on research or other special appointments.

Twelve-month employees with academic rank earn vacation at a rate of 14 hours per month (21 days per year) regardless of the years of service.

Generally, each non-academic employee who is continuously employed for a period of six months will earn vacation as follows:

<u>Number of Years Employed</u>	<u>Days Vacation Accrual Per Year</u>
1 - 10	15
11 - 15	18
16 - 20	21
Over 20	24

Employees who have been continuously employed for six months will be vested in their vacation time. Upon termination, they will be paid for any unused vacation time.

In accordance with 2-18-617(1), MCA, all full-time and part-time employees serving in permanent and seasonal positions may accumulate two times the total number of annual leave credits they are eligible to earn per year. However, excess vacation leave will be forfeited unless taken by the employee within 90 calendar days from the last day of the calendar year in which the excess vacation leave was earned.

Employees should be given reasonable opportunity to use rather than forfeit accumulated vacation leave. If an employee makes a reasonable written request to use excess vacation leave within the first 90 calendar day period, and the request is denied, the excess vacation leave is not forfeited if the employee's supervisor requests in writing to the Personnel Office (with approval of the Chancellor) that the employee be allowed to use the excess vacation leave before the end of the calendar year in which the leave would have been forfeited.

502.4 SICK LEAVE (MCA 2-18-618 AND MOM 3-0310)

<http://data.opi.mt.gov/bills/mca/2/18/2-18-618.htm>

Sick leave credits are earned at the rate of 1 day per month for each month of full-time service without restriction as to the number of days that may be accumulated. Sick leave is accrued on a prorated basis for part-time employees. Employees are not entitled to be paid sick leave until they have been continuously employed 90 days. Sick leave credits may be used for the following:

1. time off when an employee is unable to perform job duties because of physical or mental illness, injury or disability;
2. maternity-related disability, including prenatal care, birth, miscarriage, abortion, or other medical care for either employee or child;
3. parental leave as provided in 2-18-606, MCA;
4. quarantine resulting from exposure to contagious disease;
5. examination or treatment by a licensed health care provider;
6. short-term attendance to an immediate family member or, at an agency's discretion, another relative due to physical or mental illness, injury, disability, or examination or treatment until other care can reasonably be obtained;
7. necessary care of a spouse, child, or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993;
8. death or funeral attendance of an immediate family member or, at an agency's discretion, another person.

Immediate family means the employee's spouse and any member of the employee's household, or any parent, sibling, child, grandparent, grandchild or corresponding in-law.

Upon termination of employment, an employee is entitled to payment equal to one-fourth of their accumulated sick leave. College of Technology faculty who have sick leave accumulated prior to July 1, 1989, will be entitled to payment equal to one-half of the accumulated sick leave earned prior to July 1, 1989.

502.5 FAMILY & MEDICAL LEAVE

The Montana University System shall comply with the Family and Medical Leave Act of 1993 (FMLA) by providing eligible employees with up to 12 work weeks of job-protected leave and other corresponding benefits for FMLA-qualifying conditions. Eligible employees must have worked for a unit of the Montana University System or the State of Montana for at least one year, and for 1,040 hours during the previous 12 months to qualify for FMLA leave.

For additional information about the Montana University System's Family and Medical Leave practices, contact the Personnel Office or log on to www.discoveringmontana.com/doa/spd/mom/fmlaguide.doc

502.6 HOLIDAYS (MCA 1-1-216 AND MOM 3-0325)

<http://data.opi.mt.gov/bills/mca/1/1/1-1-216.htm>

Employees shall be granted the following paid holidays:

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Lincoln/Washington Birthdays (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- State General Election Day (November of even years)
- Veterans' Day (November)
- Thanksgiving Day (fourth Thursday in November)
- Day after Thanksgiving (exchange for Columbus Day)
- Christmas Day (December 25)

If any of the above holidays fall on a Sunday, the Monday following is a holiday. Any employee who is scheduled for a day off on a day which is observed as a legal holiday, except Sunday, shall be entitled to receive a day off either on the day preceding or the day following the holiday, whichever allows a day off in addition to the employee's regularly scheduled day off.

502.7 HOLIDAY EXCHANGES (BOARD OF REGENTS' POLICY 801.5)

<http://mus.edu/borpol/bor800/8015.htm>

1. The Friday following Thanksgiving is designated a holiday for all Montana University System employees in exchange for Columbus Day.
2. The Commissioner of Higher Education may designate any of the following business days as holidays for all employees of a campus in exchange for the same number of legal holidays enumerated in 1-1-216, MCA;
 - a. the Monday before Christmas Day or New Year's Day if either holiday falls on Tuesday, or
 - b. the Friday after Christmas Day or New Year's Day if either holiday falls on Thursday.

502.8 JURY OR WITNESS DUTY (MOM 3-0322)

Employees will be excused from work to perform jury duty or to serve as subpoenaed witnesses. If the employee's absence will create a serious hardship, the employer may request that the employee be excused from jury duty. Employees summoned to serve as jurors or witnesses shall be granted leave with pay. Fees collected shall be

forwarded to the Business Office to be applied against the amount due the employee. However, employees are not required to remit to the employer any expense allowances (per diem and mileage) received.

Employees may elect to use annual vacation leave for the time taken off to serve as jurors or witnesses. In such a case, they shall remain on the campus payroll and are entitled to retain all fees and allowances collected.

502.9 MILITARY TRAINING (MCA 10-1-1009 AND MOM 3-0321)

<http://data.opi.mt.gov/bills/mca/10/1/10-1-1009.htm>

A permanent, seasonal, or temporary full-time employee, who is a member of the organized militia or the military forces of the United States, and who has completed 6 months of continuous employment, is entitled to receive up to 15 working days of military leave per calendar year. Unused military leave must be carried over to the next calendar year, but may not exceed a total of 30 days in any calendar year. Part-time, seasonal, or temporary employees meeting the six-month requirement are eligible to receive prorated military leave.

An employee shall submit a copy of military orders with the request for military leave. Military leave shall not be charged against any other leave credit earned by an employee.

502.10 MATERNITY LEAVE (MCA 49-2-310)

<http://data.opi.mt.gov/bills/mca/49/2/49-2-310.htm>

No employee may be terminated because of pregnancy or pregnancy-related disabilities. A reasonable leave of absence without pay will be granted to any employee not able to perform employment duties due to pregnancy or to post-pregnancy complications. The period of the leave of absence shall be agreed upon by the employer and the employee, but the maximum leave of absence shall not exceed six months and may be extended at the discretion of the employer, total not to exceed one calendar year. Prior to the granting of the maternity leave, the employer may require a physician's certification of need.

The employee must notify the employer fifteen days before returning to work and upon return shall be employed at the same or a similar position as held prior to maternity leave.

502.11 PARENTAL LEAVE (MCA 2-18-606 AND MOM 3-0312)

<http://data.opi.mt.gov/bills/mca/2/18/2-18-606.htm>

An employee is permitted to take a reasonable leave of absence not to exceed 15 working days as parental leave immediately following the birth of a child or placement of a child with the employee for adoption. The employee may use sick leave, annual leave or leave without pay during parental leave.

502.12 RETIREMENT SYSTEMS (MCA TITLE 19)

http://data.opi.mt.gov/bills/MCA_toc/19.htm

The Montana University System currently offers coverage under the Public Employees' Retirement System (PERS), Teachers Retirement System (TRS) and the Optional Retirement Plan (ORP). Classified employees are covered under the Public Employees' Retirement System (PERS) or an Optional Retirement Defined Contribution Plan. Faculty or contract professionals hired on or after July 1, 1993, are required to become a member of the ORP unless they are an active, inactive or retired member of PERS or TRS. A new employee who is an active, inactive or retired member of PERS or TRS shall elect to either remain with their current retirement system or become a member of the ORP.

1. Faculty and Contract Professionals -

A. Montana Teachers' Retirement System (MCA Title 19 Chapter 20)

http://data.opi.mt.gov/bills/MCA_toc/19_20.htm

TRS is a defined benefit retirement plan. A defined benefit plan guarantees a specific benefit based on a percentage of the member's final average compensation and years of credited services. Several

optional forms of monthly benefits are available. Benefits provided under the TRS are funded by employee and employer contributions together with interest earnings. As of July 1, 2009, the employee contribution rate is 7.15% of wages and the employer contribution is 9.85% of total wages.

Members become vested after completion of 5 years of service. Vesting entitles a member to monthly benefits upon retirement or disability. A vested member who is not eligible for retirement may leave accumulated contributions with TRS after termination and apply for a retirement benefit as early as age 50.

Further information is provided in the *Montana Teachers' Retirement System Handbook* available at <http://www.trs.mt.gov/>.

B. Optional Retirement Program (TIAA-CREF) (MCA Title 19 Chapter 21)

The Optional Retirement Program (ORP) was created by an act of the legislature in 1987. The law grants the Board of Regents the authority to administer the ORP. The Board of Regents selected TIAA-CREF as the organization to provide annuities under the ORP.

TIAA-CREF is a defined contribution plan in which employee and employer contributions are a percent of the member's salary. The benefits actually received at retirement will depend on the amount of contributions, the amount of investment gains and losses, the member's life expectancy at retirement, and the retirement option selected.

As of July 1, 2009, the employee contribution rate is 7.044% of wages and the employer contribution on behalf of an employee is 5.956% of wages. The employer also contributes an additional amount to TRS to pay the unfunded liability. That amount is 4.72% as of July 1, 2009. Members are fully and immediately vested in all retirement and death benefits in their TIAA and CREF annuities based on contributions and investment earnings.

2. Classified Employees (Staff) -

All persons in positions, which are not specifically covered by another state retirement system, are covered by the Public Employees' Retirement System (PERS) or the Optional Retirement Program (TIAA-CREF) for staff. Individuals employed in covered positions who work at least 960 hours in any fiscal year must become a member of one or the other.

A. Public Employees' Retirement System (MCA Title 19 Chapter 3)

http://data.opi.mt.gov/bills/MCA_toc/19_3.htm

PERS offers either a defined benefit retirement plan or a defined contribution retirement plan.

Defined Benefit: A defined benefit plan guarantees a specific benefit based on a percentage of the member's average final compensation and years of credited service. This means the benefits payable are defined by formula--instead of the amount of money in an individual account. Individual account balances are used solely for the purpose of refunding a member's contribution. Benefits are funded through a combination of employee and employer contributions along with interest earnings on those contributions. Employee and employer contribution rates as of July 1, 2009 are 6.9% and 7.17% of wages, respectively. Members become vested after completion of 5 years of service. Vesting entitles a member to monthly benefits upon retirement or disability.

Defined Contribution: A defined contribution plan is a plan where the benefit payable is consists of employee and employer contributions plus income earned on such contributions. Employee and employer contribution rates as of July 1, 2009 are 6.9% and 4.49%% of wages, respectively. The employer also contributes an additional amount to PERS to pay the unfunded liability. That amount is 2.68% as of July 1, 2009. Members become vested after completion of 5 years of service.

Further information is provided in the *Public Employees' Retirement System Handbook* which can be found at <http://mpera.mt.gov>.

B. Optional Retirement Program (TIAA-CREF) (MCA Title 19 Chapter 3)

The 1999 Legislature passed laws establishing an optional retirement plan for staff. TIAA-CREF was selected as the provider for the optional retirement plan.

TIAA-CREF is a defined contribution plan in which employee and employer contributions are a percent of the member's salary. The benefits actually received at retirement will depend on the amount of the contributions and the amount of investment gains or losses. The current employee contribution rate is 6.9% of wages and the employer contribution rate is 4.49% of wages. The employer also contributes an additional amount to PERS to pay the unfunded liability. That amount is 2.68% as of July 1, 2009. Members are fully and immediately vested in the TIAA-CREF account.

502.13 INSURANCE BENEFITS

A. Unemployment Compensation Insurance

All non-student employees are covered by Unemployment Compensation Insurance, which may provide income if employment is terminated and new employment is not obtained. The amount of benefits and duration of payments are based on past employment statistics. Claims for unemployment benefits are made by calling (406) 444-2545.

B. Workers' Compensation

All employees of Montana Tech are covered under the Montana Workers' Compensation and Occupational Disease Acts for accidental injury incurred as a result of employment. The Montana University System is self insured for workers' compensation insurance.

All "on-the-job" accidents are to be reported immediately to the Personnel Office (ext. 4380) and the supervisor. The First Report along with reporting procedures and additional information about the workers compensation are available at <http://www.mtech.edu/hr/WorkComp%20Index.html>. College personnel will work with employees to see that the necessary paperwork is completed and filed properly.

C. Medical, Dental, Vision, Accidental Death, Life and Long-Term Disability Insurance

Permanent employees working at least 20 hours for a continuous period of more than six months in a 12-month period are eligible to join the Montana University System's group insurance plan which provides medical, dental, vision, life insurance, accidental death and dismemberment, and long-term disability coverage. Additional group term life insurance is also available. Information on rates and coverage as well as application forms may be obtained from the Personnel Office.

D. Employee Wellness Program

Montana Tech has a wellness program for its employees. This program includes blood screening, wellness activities, a faculty/staff fitness room and use of the HPER facilities.

E. Employee Assistance Program

The Employee Assistance Program provides, to employees and immediate family members, confidential assistance for personal problems. It is designed to provide short-term counseling.

502.14 TAX SHELTERS (BOARD OF REGENTS' POLICY 803.1)

The Commissioner of Higher Education is authorized to negotiate for and purchase "tax sheltered" annuities and deferred compensation plans for employees of the Montana University System under the provision of the 1954 Internal Revenue Code, Section 403(b) and the laws of the State of Montana.

Procedures

- The employee must agree to a reduction in salary or wages paid in the same amount as the cost of the annuity or compensation plan.
- The Commissioner of Higher Education may delegate to the presidents or chancellors of the various campuses the authority to approve necessary plan documents and amendments.
- Employee salary adjustments and payroll deductions are authorized for non-contract personnel by the local administration, also consistent with state law.

1. Tax Sheltered Annuities -

Tax Sheltered Annuities may be purchased by employees of Montana Tech. These annuities allow employees to supplement retirement income while tax deferring the cost of the annuity until retirement.

Current Carriers

- ING
- MetLife
- TIAA-CREF
- VALIC

2. Deferred Compensation -

Employees are eligible to participate in the State of Montana deferred compensation plan. A portion of an employee's salary can be set-aside or deferred for retirement. Contributions will not be taxed until withdrawn.

Additional information is available in the Personnel Office.

502.15 FACULTY/STAFF FEE WAIVER (BOARD OF REGENTS' POLICY 940.13)

Form Required: Authorization for Employee Registration in Academic Courses (obtained in the Personnel Office or at http://www.mtech.edu/forms/word_docs/feewaver.doc)

Incidental fees may be waived for permanent employees who are employed at least three-quarter time during the entire period of enrollment. Employees (academic and nonacademic) may enroll for a maximum of six (6) credit hours during fall and spring semester or four (4) credit hours during summer session. Permanent employees employed at least three-quarter time for the entire academic year who are re-employed for the following academic year are eligible for a fee waiver during the intervening summer term.

Each unit may at its discretion also waive other fees, but in no case may registration and building fees be waived. Each unit may adopt regulations to limit the amount of credit an employee or staff member may register for and to control the times at which courses may be taken.

Employees taking courses non-job related during normal duty hours are required to make up time off for the job that same day. Request for job-related release time courses must be fully documented to include a statement or written justification by the responsible administrator documenting how this released time will benefit the department. Payment of any fees by the department for job-related courses is subject to administrative approval. Class enrollment will be limited to a "space available" basis.

503 PAYROLL INFORMATION

503.1 TIME CARDS AND LEAVE CARDS

Time cards or leave cards are due in the Personnel/Payroll Office by the first working day following the end of each pay period for which time is being reported. Classified employees will be paid biweekly and all other employees monthly.

503.2 PAY CHECKS

Classified employees may pick up paychecks at the Business Office on the Wednesday that falls two weeks after the end of a pay period. Faculty, contract professionals and students may pick up paychecks on the first working day of the month following the pay period end date.

Employees may have paychecks deposited directly into checking or savings accounts by completing an authorization form in the Payroll Office. Check stubs for employees on direct deposit will be distributed on payday via campus mail.

504 CHANGE OF RESIDENCE

The Personnel Office should be informed immediately of a change in address or home telephone number.

505 CHANGE OF MARITAL STATUS OR DEPENDENTS

In order to reflect appropriate changes in insurance and payroll deductions, the Personnel Office should be informed immediately of changes in marital status or change in the number of dependents.

506 EXTRA COMPENSATION

Occasionally extra compensation may be authorized for faculty and staff on Montana University System contracts or classified staff. Where contract or grant funds are the source of payment, contracting officer or agency approval must be sought and obtained in writing beforehand. Such requests must be approved by the appropriate Vice Chancellor or Bureau Director.

507 EQUAL EMPLOYMENT AND EDUCATION OPPORTUNITY POLICY: MONTANA TECH OF THE UNIVERSITY OF MONTANA EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

It is the policy of **Montana Tech** to provide equal educational and employment opportunity (EEO) to all persons regardless of race, color, religion, creed, sex, national origin, age, mental or physical disability, marital status, sexual orientation or political belief with the exception of special programs established by law.

Equal educational opportunity includes admission, recruitment, extracurricular programs and activities, housing, facilities, access to course offerings, counseling and testing, financial assistance, employment, health and insurance services, and athletics. Title IX of the Educational Amendments of 1972 prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance by way of grant, contract, or loan.

Montana Tech will take affirmative action (AA) to equalize employment opportunities at all campus levels where evidence exists that there have been barriers to employment for those classes of people who have traditionally been denied equal employment opportunity.

Montana Tech makes a commitment to provide reasonable accommodation to any known disability that may interfere with an applicant's ability to compete in the selection process or an employee's ability to perform the duties of the job.

Montana Tech guarantees employee protection against retaliation for lawfully opposing any discriminatory practice, including the filing of an internal grievance alleging unlawful discrimination, the filing of a union

grievance, the initiation of an external administrative or legal proceeding or testifying in or participating in any of the above.

The Chancellor has ultimate authority and responsibility for establishing equal employment opportunity as a policy at **Montana Tech**. The Chancellor pledges to promote and support practices that protect the right of equal employment opportunity.

The designated EEO Officer for **Montana Tech** is Maggie Peterson. She is responsible for coordinating the campus' EEO/AA program and for resolving applicant/employee EEO complaints. Maggie's office is in MG 305 and her phone number is 496-4316.

508 GRIEVANCE POLICY AND PROCEDURE

508.1 PURPOSE

The purpose of this grievance policy is to provide an accessible and impartial hearing mechanism for the prompt and equitable resolution of complaints through the process cited in the procedures and to provide an opportunity to resolve grievances at the earliest possible stage. Students, employees, or applicants who believe they have a grievable issue must seek resolution through this grievance procedure prior to or rather than pursuing redress elsewhere. In all such matters, appropriate confidentiality will be maintained; no public announcements should be made by any of the parties involved until the proceedings have been completed through the final administrative review.

These grievance procedures apply to all grievances from persons who are not covered by collective bargaining agreements. Members of collective bargaining units must utilize the contract grievance procedure unless the complaint is clearly outside the scope of the contract.

Grievable issues are those in which there is an alleged error in the application of Montana Tech's policies, procedures, and practices; or in varying combinations of these to include discrimination. A grievable issue becomes a discrimination complaint if a violation of any applicable nondiscrimination law or regulation is alleged. Student grievances not covered by policies in the student handbook, which allege error in application of Montana Tech's policies, procedures and practices, may be filed using this mechanism.

Any applicant, employee or student who believes he/she may have experienced unlawful discrimination should visit the Affirmative Action Officer, discuss the concerns, and seek advice prior to executing any formal grievance procedures. Students should also feel free to visit with the Dean of Students. Montana Tech's Affirmative Action Officer is charged with insuring compliance with state and federal laws and regulations dealing with unlawful discrimination. If a person feels that after discussing their concerns they have been discriminated against, they may file under this procedure. The presumption of innocence and the right to individual and civil rights is, of course, constitutionally retained by all parties.

508.2 POLICY

508.2.1 SCOPE

This grievance procedure covers all persons owed a duty by the Institution which is the source of a grievance who are not covered by collective bargaining agreements. Any grievable occurrence not grieved pursuant to this policy is accepted as final and appropriate by the parties affected.

508.2.2 OBJECTIVES

The objectives of this grievance procedure are to:

- a. Encourage resolution of grievances between employees and supervisors before formal grievance proceedings are undertaken;
- b. Provide an orderly process for handling of grievances once they have entered the formal stage;

- c. Resolve grievances as quickly as possible before they become unduly exaggerated and disruptive to the organization or to the individuals involved; and
- d. Encourage correction of the cause of a valid grievance through impartial consideration of the facts and free expression of views from both sides of the dispute.

Employees presenting grievances under this policy shall be free from coercion, restraint, interference, discrimination, or reprisal. No form of retaliation against anyone filing a grievance will be tolerated by the Institution. Retaliation is cause for disciplinary action up to and including termination.

508.3 TIME LIMIT FOR GRIEVANCE FILING

A grievance must be filed within 90 calendar days of the occurrence of the alleged violation or within 10 working days of denial of informal resolution, whichever is sooner. To consider a grievance filed, the Respondent must have received a completed Complaint Form from the Aggrieved. When the Grievance Committee feels there are unusual circumstances and those circumstances warrant it, the Committee may extend any of the time limits in the grievance process. These extensions will be in written form.

Whenever any person considers that he/she has been discriminated against in a manner which may have violated Title IX or any other state or federal law or regulation prohibiting discrimination, that person may appeal directly to the Affirmative Action Officer for resolution. This direct access to the Affirmative Action Officer is intended to insure that the complaint, if founded, receives prompt and equitable resolution at the earliest possible instance without being constrained by administrative time limit penalties. If the complaint is against the Affirmative Action Officer, the complainant may proceed directly to the Chancellor for resolution.

508.4 PROCEDURES FOR SETTLING GRIEVANCES

1. Organization for grievance Procedure

There are four parties in the Montana Tech grievance procedure:

- a. The Aggrieved -- the person who has a grievance;
- b. The Respondent (s) -- the person(s) who engaged in the actions or failure to act, out of which the grievance arises;
- c. The Grievance Committee -- appointed by the Chancellor to hear all sides of the grievance and recommend solutions and/or findings of fact to the Chancellor; and
- d. By virtue of position, the Affirmative Action Officer will serve on the committee and shall coordinate the establishment and conduct of the committee in conjunction with the chair of the committee.

At the call of the Affirmative Action Officer, the Grievance Committee meets at the beginning of each academic year primarily to elect its Chair. That person's name is then communicated by the Affirmative Action Officer to the Chancellor for approval.

If the Affirmative Action Officer is respondent or the position is vacant, the Chancellor shall appoint a professional staff member to perform the duties of the Affirmative Action Officer in this grievance procedure. The Personnel Office and the Chancellor's Office will provide staff and clerical resources to the AA/EEO Officer.

2. Informal Complaint Review

The intent of any conciliation procedure is to resolve difficulties on as amicable and timely a basis as possible. Any individual who is aggrieved should try to work out the difference with the person or office involved on an informal basis, if possible. If the grievance is not resolved informally, then a formal process may be initiated.

3. Formal Complaint Process

At each step, the following guidelines apply:

- The specific complaint must be in writing.
- The appropriate supervisor or his/her designee will meet with the Aggrieved (or following an approved local level procedure).
- If discrimination is alleged, the AA/EEO Officer will be notified and consulted.
- In case of failure to respond to the grievance at any level on the Montana Tech campus within the stated length of time, the Aggrieved may proceed to the next step or level at his or her own initiative.

STEP 1:

If a resolution for the complaint has not been reached or the Aggrieved is dissatisfied with the resolution, a formal appeal may be initiated. The Aggrieved must notify the respondent in writing of the decision to appeal within ten (10) working days after receipt of the informal decision. The Aggrieved states the complaint in writing on the Complaint form to his/her direct supervisor asking for grievance consideration. The supervisor or his/her designee shall meet with the Aggrieved personally or may follow an accepted departmental procedure.

The supervisor has ten (10) working days after receipt of the Complaint Form to respond to the Aggrieved in writing.

In cases of alleged unlawful discrimination, the AA/EEO Officer will observe and participate in the conciliation effort. If the situation is not readily resolved, the AA/EEO Officer may be requested by either party to investigate the charge and render an opinion to both parties. The AA/EEO Officer's report may also recommend a method of conciliation.

STEP 2:

In cases unresolved at STEP 1, the Aggrieved has five (5) working days to write to the next appropriate supervisor (normally the Dean or Director) again citing the complaint. Included with the complaint should be copies of previous correspondence, and a note to the effect that STEP 1 has not resolved the complaint. This supervisor or his/her designee and the AA/EEO Officer will attempt to resolve the complaint and, as in STEP 1, may follow some locally approved procedures.

The AA/EEO Officer should again be notified and consulted if the case involves alleged discrimination. The supervisor has ten (10) working days after receipt of the Complaint Form to respond to the Aggrieved in writing.

STEP 3:

In cases unresolved in STEP 2, the Aggrieved has five (5) working days to transmit a written appeal to the Grievance Committee, setting forth the grievance in detail. Copies of all correspondence up to that point should be included with the appeal and it should be noted that STEPS 1 and 2 were unsuccessful. If the case involves alleged unlawful discrimination, such should also be noted.

The Committee will receive and review all STEP 3 formal grievance appeals. The Committee will review each case and determine whether it should be heard or rejected as outside the Grievance Committee purview. The Committee will not hear a case that involves disagreement with, as opposed to application of, established rules, regulations, or policies of Montana Tech of The University of Montana, The University of Montana, the Montana University System, or the Board of Regents of Higher Education. Such concerns must be taken directly to the Chancellor or through him/her to the President of The University of Montana, or the Commissioner of Higher Education. The Chair of the Grievance Committee will notify the Vice Chancellor and the Chancellor of the Committee's decision to hear the appeal.

Upon receiving notification of the Committee's intent to hear the appeal, the Affirmative Action Officer shall schedule a hearing of the Grievance Committee. The hearing shall convene within ten (10) working days of receipt by the Affirmative Action Office of the Committee's decision. If a quorum cannot be assembled within this time limit, the Chair of the Committee may extend the time limit. All involved parties will be notified of the date, time, and location of the Grievance Committee Hearing by the Affirmative Action Officer.

STEP 4:

A. Grievance Committee Hearing

To guarantee due process in the formal stage, the following requirements will be observed:

- a. The right to adequate notice of proceedings and charges;
- b. The right to appear personally and with counsel;
- c. The right to present, confront, and cross-examine witnesses; and
- d. The right to an impartial decision-maker.

The Grievance Committee is a lay committee, and as such will not apply strict rules of evidence or procedure. As long as a fair and impartial hearing is provided and the basic requirements of due process are met, inconsequential or minor deviation from the set procedure will not invalidate the proceedings. As a lay group, the Committee may consult counsel at its discretion, but preference will be given to not doing so unless the Aggrieved or Respondent gives notice that he/she will be represented by legal counsel.

The hearing shall be conducted by the Chairperson of the Grievance Committee who will be the final arbiter on all matters of procedure. In the absence of strong reasons to the contrary, the Chairperson will give preference to the Aggrieved's request regarding whether the hearing shall be open or closed.

The Chairperson will be responsible for insuring that the hearing is recorded. Such recording will be available for review by the Committee, Chancellor, AA/EEO Officer, President of the University of Montana, Commissioner of Higher Education and Board of Regents.

B. Grievance Committee Recommendation

Within ten (10) working days after the conclusion of the hearing, the Grievance Committee shall prepare a written report. At a minimum, the written report must contain the following:

- a. A summary of the alleged grievance;
- b. A statement of whether the committee finds a violation of Montana Tech's policies, procedures, or practices; or a combination of these to include discrimination;
- c. A statement of the relief of redress sought by the Aggrieved; and
- d. When appropriate, a recommendation for corrective action.

Copies of the Grievance Committee's report will be sent to the Aggrieved, the Respondent, and the Chancellor.

508.5 GRIEVANCE COMMITTEE

There will be eight regular members of the committee with two appointed from each of the following constituencies: (2) faculty, (2) administrative and professional staff, (2) nonacademic staff, and (2) students.

Appointments will be made by the Chancellor from a list of four candidates nominated by each group. The Affirmative Action Officer is an ex-officio member of the committee. The Chair of the committee is elected by the committee and approved by the Chancellor. Appointments will be for two years unless otherwise specified at

the time of the appointment, with half of the committee members' terms expiring on alternate years. When a vacancy occurs on the committee, the group that the vacancy represents shall make nominations to fill the unexpired term. Any five of the eight regular members shall constitute a quorum for purposes of conducting a formal hearing.

In the event that a member of the Grievance Committee feels that he/she has a personal conflict of interest with the Grievant or the issue, he/she may request to be excused from the proceedings. Should the absence(s) of the excused member(s) bring the number of regular members below that needed for a quorum, the Chancellor may appoint a replacement(s) from the appropriate constituency for this hearing.

The Grievance Committee is charged with making a recommendation to the Chancellor for resolution of complaints by faculty, nonacademic staff, students and applicants for employment or admission arising out of an alleged violation of any applicable state or federal law or regulation or any contractual relationship, policy, or procedure the breach of which would cause a valid complaint.

Complaints will be reviewed by the committee, which after full consideration will determine the facts and make a report to the Chancellor.

508.6 AUTHORITY OF THE COMMITTEE

The Grievance Committee is authorized to conduct whatever reasonable investigation is required in order to make a well-considered determination of the validity of a complaint. It may require the presence and testimony of witness and may compel the production of documents and other evidence.

The Committee may, when necessary, hold informal hearings the procedure and conduct of which are to be determined by the Chairperson in accordance with this policy.

Depending on the nature of the complaint, the committee will either make findings of fact for consideration by the Chancellor, or make recommendations to the Chancellor. If the committee makes recommendations to the Chancellor, those recommendations will not be disregarded without a statement by the Chancellor to the Commissioner and/or The University of Montana President and to the Grievant.

There is presumption of innocence on the part of the Respondent and the Respondent, without question, retains all civil liberties and rights afforded a U.S. Citizen and as a member of this academic community.

508.7 THE CHANCELLOR'S DECISION

Within 20 working days of receipt of the Grievance Committee's report, the Chancellor shall send written notification to the Committee, the Grievant and the Respondent stating whether the recommendation has been accepted or rejected and the basis for the Chancellor's decision.

If the Chancellor is unwilling to accept the recommendation of the Grievance Committee because there appears to be the denial of an impartial hearing or an abridgement of due process rights in the appeal process, the Chancellor may remand the grievance back to the Grievance Committee for corrective action; or have a new committee temporarily selected under the same selection process to rehear the appeal.

508.7.1 APPEAL TO THE COMMISSIONER OF HIGHER EDUCATION AND THE BOARD OF REGENTS

Any Aggrieved may, within 30 calendar days after receipt of the Chancellor's response to the recommendation of the Grievance Committee, appeal the Chancellor's decision to the Commissioner of Higher Education of the Montana University System in accordance with current Board of Regents' policies governing appeals. Such appeals shall be initiated by sending a written request to the Commissioner of Higher Education, Montana University System, 2500 Broadway, Helena, MT 59620.

The Chancellor shall be notified in writing by the Aggrieved that the letter of appeal has been forwarded to the Commissioner. Upon receipt of notice of appeal, the Chancellor shall forward to the Commissioner all documents involved in the proceedings which shall include:

- The Complaint Form;
- The Complaint Review Form;
- A recording of the Grievance Committee Hearing;
- The Grievance Committee Report;
- The decision of the Chancellor; and
- Any other pertinent materials.

The President of The University of Montana will be informed of all appeals to the Commissioner and/or the Board of Regents.

509 MONTANA TECH COMMUNITY EXPECTATIONS PROGRAM (STUDENT JUDICIAL SYSTEM)

The primary purpose of this program is to assist individuals to achieve their maximum educational and personal potential and to allow members of the Montana Tech community to resolve differences and grievances to the mutual benefit and satisfaction of all concerned. It is also a necessary purpose of this program to maintain effective community standards and to protect the rights of individuals. In this regard, the community has the right to protect itself against the behavior of individuals who consistently or repeatedly demonstrate a disregard for the welfare of individuals in the larger community.

Any individual within the Institution, who feels that their rights have been infringed upon by student conduct, may process a referral to the Montana Tech Community Expectations Program.

Copies of the *Community Expectations Program Handbook* are available at the Dean of Student's Office - Engineering Hall, Room 101. The Associate Vice Chancellor for Student Affairs will assist faculty and staff who wish to refer a student for misconduct. The Handbook includes Philosophy and Policy, Program Guidelines and Program Procedures.

510 SAFETY POLICY

Safety is a shared responsibility of all members of the Montana Tech campus. In the interest of improved safety, Montana Tech shall provide, so far as possible, a facility free of health and safety hazards. To accomplish this, Montana Tech shall comply with all occupational safety, health and environmental laws mandated by relevant local, state, and federal law or regulation.

To prevent injuries to its personnel and students, and to prevent damage to property and equipment, Montana Tech shall provide training to employees and students, as appropriate, and shall require compliance with safety regulations and procedures. In turn, each person is ultimately responsible for personal safety, and shall follow safety and health policies and procedures, exercise caution in the performance of duties, use normal safe working practices, observe and obey safety postings and rules, use and maintain personal protective equipment when needed and approved, and promptly report all accidents to the appropriate authorities.

Copies of the campus Safety Policy are available from the Director of Environmental Safety and Health (4463) or at http://www.mtech.edu/env_health_safety/safety_programs.htm.

511 LIABILITY AND INDEMNIFICATION

Montana University System officers and employees are entitled to immunization, defense, and indemnification when sued civilly for their actions taken within the course and scope of their employment. This policy shall apply

to the Commissioner of Higher Education, employees with the Commissioner's Office, and Board members themselves, as well as Presidents and other unit employees.

In addition to notifying the campus President or Chancellor, an officer or employee who has been sued civilly for actions taken within the course and scope of employment shall notify the Commissioner of Higher Education of the lawsuit. A unit may provide an internal mechanism to achieve the notification of the Commissioner. In the case of non-campus based persons covered by this policy, employee notification that the person is being sued civilly shall be directed to the Commissioner.

If the Board of Regents, the Commissioner or Chief Legal Counsel determines that the conduct upon which the claim brought arises out of the course and scope of the officer's or employee's employment, they may so acknowledge.

No defense, indemnification nor immunity will be granted to an employee by the Board if (1) the conduct of the employee constitutes a criminal offense; (2) the employee compromises or settles the claim without the consent of the Board; or (3) the employee fails or refuses to cooperate reasonably in the defense of the case.

512 DRUG-FREE WORKPLACE

In mandatory compliance with the Drug-Free Workplace Act, Montana Tech is committed to providing drug-free/alcohol-free classrooms and workplace. The abuse or unlawful use of drugs and alcohol is not permitted at campus events and activities. The unlawful manufacture, distribution, sale, possession, or use of a controlled substance in the workplace or while conducting Montana Tech or University System business is prohibited. This law applies to faculty, staff, and students.

Employees must comply with this policy and notify their immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The supervisor is responsible for notifying the Personnel Office immediately upon notice from the employee. The Personnel Office is responsible for notifying the federal granting agency, when appropriate, of the conviction within ten days of learning of the conviction.

Violations of this policy may result in disciplinary action up to and including termination and suspension, and may have legal consequences. At the option of the employer, an employee violating this policy may be required to satisfactorily complete a drug abuse assistance or rehabilitation program as an alternative to termination.

Drug dependency and the abuse of alcohol are major health problems and interfere with a learning environment and workplace productivity, safety, and security. Employees and students are encouraged to seek assistance in dealing with drug problems. Conscientious efforts to seek help for drug dependency will not jeopardize an employee's job status.

All employees will be given a copy of this policy upon adoption. New employees will be given a copy of the policy as a part of the new employee orientation process. This policy will be included in the *Student Handbook*.

Upon request, the Personnel Office or Student Life Programs Office shall provide confidential referrals to drug counseling or rehabilitative programs and shall counsel employees on available assistance under the group insurance plan.

A copy of the Montana Tech Campus Alcohol Policy is available from the Chancellor's Office.

513 SMOKING/NONSMOKING POLICY

Effective July 1, 2010, Montana Tech will become a tobacco free campus and no usage of tobacco products will be permitted on any Montana Tech property.

Until that time, smoking is prohibited in all buildings on both campuses of Montana Tech. Smoking within 25 feet of any building entrance is prohibited. The sale of tobacco products is not permitted at Montana Tech. This policy supersedes and replaces all previous policies governing smoking.

514 SEXUAL HARASSMENT POLICY

It is the policy of Montana Tech that sexual harassment of students, employees, and users of the institution's facilities are unacceptable and prohibited. This stance is consistent with the Tech's efforts to maintain equal employment opportunity, equal educational opportunity, nondiscrimination in programs, services, and use of facilities, and the affirmative action program.

Sexual harassment is the introduction of unwelcome sexual activities or comments into the work or learning situation. Often sexual harassment involves relationships of unequal power and contains elements of coercion--as when compliance with requests for sexual favors becomes a criterion for granting benefits. However, sexual harassment may also involve relationships among equals, as when repeated sexual advances or demeaning verbal behavior have harmful effects on a person's ability to study or work.

For general policy purposes, sexual harassment may be described as a pattern of sexual advances, requests for sexual favors, and other physical conduct and expressive behavior of a sexual nature where:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education;
- Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or
- Such conduct has the purpose or effect of interfering with an individual's academic or professional performance or creating an intimidating, hostile, or demeaning employment or education environment.

Anyone subjected to suspected sexual harassment should contact the Affirmative Action Officer. These contacts are confidential. Disciplinary action will be taken if sexual harassment allegations are confirmed.

Retaliation against a person who files a complaint is a violation of laws prohibiting discrimination and will result in disciplinary action against offenders. Supervisors who knowingly condone or fail to report incidents of harassment will themselves be subject to discipline.

515 TELEPHONE USAGE

State telephones are provided for the conduct of state business. In addition to state business, the State's telecommunication systems may be used by state employees and officials for calls to latch-key children, teachers, doctors, day-care centers and baby sitters, to family members to inform them of unexpected schedule changes, and for other essential personal business. The use of the State's telecommunication systems for essential personal business must be kept to a minimum and not interfere with the conduct of State business. Essential personal long distance calls must be either collect, charged to a third party non-state number, or charged to a personal credit card.

516 ACCEPTANCE OF GIFTS

Corporations, foundations, and individuals are encouraged to donate real property, equipment, and financial resources to Montana Tech. Such donations are essential to the overall support of the Institution. Because Tech's goal is to always increase donations, it is important how such donations are to be accepted by the Institution. This campus policy does not supersede existing State Statute or any Board of Regents Policy.

516.1 POLICY AND RATIONALE

The Montana Tech Foundation has been established to receive **ALL** gifts regardless of whether the gift is unrestricted and given for general purposes or designated for a particular purpose and/or program. Unrestricted gifts are allocated in accordance with guidelines developed by the Foundation Board. Designated gifts are credited to accounts in accordance with the stipulations of the donor. Scholarships are managed in conjunction with appropriate campus staff involvement. Designated gifts to departments are managed by that department.

The acceptance of any gift must involve the prior involvement and approval of the Montana Tech Foundation. While this involvement and approval will most often be proforma, there are important considerations in the decision to accept a gift. Some of these considerations include the following:

- Will the gift include stipulations that the Institution is unwilling to accept or does the donor expect reciprocity that the Institution cannot accept?
- Prior to the acceptance of the gift, the donor may need counsel regarding tax benefits that may or may not exist in conjunction with the gift. In order for the gift to be considered beneficial to the donor or the Institution, certain forms need to be filed in accordance with established procedures or time lines.
- The Institution may not have adequate physical facilities to make the gift worthwhile or the Institution may simply not wish to include the gift on its inventory or assume liability.

516.2 PROCEDURES

All donors should be referred to the Montana Tech Foundation for the processing of their gift. Some scholarships may be accepted directly by the Institution through the Business Offices.

Faculty or staff members are encouraged to work with potential donors but should recognize that final approval for the acceptance of the gift rests with the Foundation and the Chancellor or designee.

The faculty or staff member who is directly involved in securing a gift should consult with the Foundation at the earliest opportunity. The Foundation will assess the quality of the gift with appropriate offices, programs, departments, or administrators on the campus.

The Foundation will not unilaterally deny or approve the acceptance of gifts, but rather will advise on the basis of its findings. The Chancellor will make the final decision upon the recommendation of involved and interested faculty and staff and upon whatever assessment may have occurred by the Foundation.

This policy is intended to be facilitative rather than inhibitive to the goal of increased donations to the Institution. The actual process of acceptance of gifts will be accomplished largely in an informal manner. These procedures are action-oriented and are intended to be expeditious guidelines. No recommendation concerning the value of restricted vs. unrestricted gifts is implied in this policy.

In rare instances, contributions or donations will be made directly to the college under its 501(c)3 status.

517 CHARITABLE ORGANIZATION WORKPLACE FUND-RAISING

On an annual basis, charitable, nonprofit organizations not affiliated with Montana Tech may be authorized to conduct a fund-raising campaign on the campus among employees of the Institution in accordance with the following provisions and procedures. This policy does not apply to organizations associated with the Institution, which will be authorized to conduct fund-raising campaigns in accordance with other institutional policies and procedures, and with the approval of the Chancellor of Montana Tech.

517.1 ELIGIBILITY

For the purpose of this policy, an eligible charitable, nonprofit organization is defined as one which:

- Is a single organization or a federation of organizations which is recognized by the Internal Revenue Service as tax exempt under 26 U.S.C. 501(c)(3) and to which contributions are tax deductible pursuant to 26 U.S.C. 170;
- Has filed an IRS 990 Form for the most current fiscal year;
- Has a substantial presence and provides direct services, benefits, assistance, or educational activities within the State of Montana and/or local communities and expends at least 75% of the organization's funds within the State of Montana. Furthermore, the organization will, under normal operating conditions, use no more than 25% of its total support and revenue for fund-raising and administrative purposes and

provides full disclosure of administrative and fund-raising costs and distribution of contributions. The organization must account for its funds in accordance with generally accepted accounting principles, including an audit, review or management review conducted by an independent CPA.

- Has a written policy and procedure of nondiscrimination in regard to race, color, religion, national origin, handicap, age, marital status, or sex applicable to persons served by the organization and applicable to membership on the charitable organization's Board of Directors; and
- Has a volunteer Board of Directors including representatives from the State of Montana.

517.2 PAYROLL DEDUCTIONS

If an organization authorized to conduct a fund-raising campaign on campus wishes to utilize the Montana Tech payroll process for employee-initiated, voluntary payroll deductions, the organization must, on an annual basis, utilize a payroll deduction authorization form that has been approved by the Payroll Office. The Payroll Office will provide, at a minimum, a monthly transfer of funds to the organization.

518 GUN POLICY

No guns are allowed on campus except for police or similarly authorized personnel. Proper storage and control of hunting rifles only may be arranged with the Residence Life Office. Guns are not allowed under other circumstances including classroom demonstrations. Explosives of all types, including firecrackers, may not be stored or used on any property of the Institution.

519 MONTANA TECH MINORITY AND GENDER EQUITY ACHIEVEMENT PLAN

The Montana University System and Montana Tech recognize that there are various groups which are underrepresented in educational programs and employment. Among these underrepresented groups, minority group persons and women are an especially significant component. Furthermore, it is recognized that the Montana University System has placed a special emphasis of concern upon Native Americans, who comprise the largest minority group in Montana.

A specific action agenda for Montana Tech Minority and Gender Equity Achievement Plan is available from the Chancellor.

520 STANDARDS OF CONDUCT FOR STATE EMPLOYEES

MCA Chapter 2 copy available at http://data.opi.state.mt.us/bills/MCA_toc/2_2_1.htm

520.1 ETHICAL CONDUCT AND PROHIBITED POLITICAL ACTIVITIES

Public employees have a special obligation to carry out their duties for the benefit of the people of the state and to avoid taking actions that cause them to violate the public's trust. State law at 2-2-101 through 2-2-304 MCA includes several specific prohibitions and provides for significant penalties including fines and imprisonment for violators. Employees may also be subject to discipline for violation of public trust. Examples of prohibitions include but are not limited to: 1) using work time, facilities, equipment, supplies, personnel or funds for private business purposes including any campaign activity persuading or affecting a political decision; 2) engaging in any activity, including lobbying on behalf of an organization of which the employee is a member while performing job duties; 3) receiving two salaries as a public employee for work during overlapping hours; 4) accepting a substantial gift or economic benefit, or reward for an official action; 5) disclosing or using confidential information acquired in the course of official duties in order to further the employee's personal economic interests; 6) assisting any person for a fee or other compensation in obtaining any service, claim, license, or other economic benefit from the employer; 7) performing any official act directly and substantially affecting a business or other undertaking in which the employee has a substantial interest or is engaged as a consultant, representative or agent; 8) soliciting or accepting employment or engaging in meetings or negotiations to consider employment with a person who the employee regulates in their official duties without first giving notice to their supervisor, or

9) engaging in a substantial transaction for private business purposes with a person the employee inspects or supervises.

Additional information: www.discoveringmontana.com/da/spd/hrss/ethics.doc

SECTION VI: FACILITIES AND SERVICES

601 THE LIBRARY

The Library collections support all academic disciplines offered at Montana Tech. The Library provides access for faculty, researchers, staff and students to scholarly resources in online and in print formats. The online collections are accessible on the library's homepage through more than 100 subscription databases containing journal articles, books, and the library journal name list. The homepage also provides links to library guides that help users find online information in specific subject areas. The library's print collection contains books, journals, and federal and state documents. The print titles are accessible through the library catalog. The collection also includes maps, CDs, and DVDs. Any resources not owned by the library can be ordered through its Inter Library Loan service.

Faculty librarians participate with teaching faculty in curriculum development to build current, relevant collections. Librarians, in collaboration with faculty, also develop and teach library instruction sessions for individual classes. These customized sessions assist students in accessing, finding and searching scholarly information that meets specific curricular needs. Librarians also provide specialized research services for faculty and researchers.

602 NEWS RELEASE AND PUBLIC STATEMENTS

Any faculty or professional staff member speaking on controversial subjects in which opinions are expressed shall preface those remarks by a statement making it clear that such are personal views and not necessarily those of Montana Tech.

Faculty and professional staff members will frequently be asked to supply factual information in response to requests from other agencies and the general public, and are encouraged to do so within the limits of available time and other assigned responsibilities. Depending on the nature of the request for information, the prior approval of a Vice Chancellor may be appropriate.

Any statement designated to represent the official position of Montana Tech shall come only from the Chancellor, Director of Marketing and Public Relations, or as designated by the Chancellor.

To assure a high degree of continuity and purpose in Tech's public relations program, all public relations efforts shall be coordinated through the Director of Marketing and Public Relations, and not handled directly by departments or individuals unless delegated to do so. Campus news/press releases are to be sent out by the Office of Public Relations to entities, for example, newspapers, journals, magazines, radio stations, and television stations. The Director of Public Relations and Marketing counsels and advises individuals and departments in organizing and promoting special projects, which require public understanding and support.

603 REQUISITIONS AND PURCHASE ORDERS

Purchasing guidelines are available online at <http://www.mtech.edu/purchasing/> or from the Purchasing Office.

Montana Tech processes its purchases in conformity with the requirements of the Department of Administration, Purchasing Division. Periodically by formal agreement, the Department of Administration delegates certain portions of its purchasing authority to State Agencies. The University has delegated authority for purchasing up to \$250,000 and in turn has delegated purchasing authority not to exceed \$50,000 to Montana Tech. Purchases between \$50,000 and \$250,000 will be processed through the University of Montana and purchases greater than \$250,000 will be processed through the State of Montana.

603.1 PROCEDURES

603.1.1 PURCHASES OF LESS THAN \$5,000.00

Local purchase orders **must** be issued prior to purchase in this category. Purchase orders may be issued out of Accounts Payable (for all areas), Office of Sponsored Programs (grant/contract/indirect account related), Student Union building (student activity related), Physical Plant (physical plant related), and the College of Technology (south campus related). Specifications required for purchasing in this category are:

- description of purchase
- index code
- estimated amount of purchase
- responsible person or person purchasing item

Exception: See Special Requirement Purchases in the Purchasing Guidelines manual.

603.1.2 PURCHASES OF \$5,000.00 OR MORE BUT LESS THAN \$25,000.00

Purchasing has authority to complete an Agency Purchase Order after a minimum of three competitive quotes are obtained. Quotes must include detailed specifications including manufacturer and model number, dimensions, and other information pertinent to purchasing the item. Under limited circumstances, as documented on a Sole Source Justification form, the Department may request purchase from a single vendor.

603.1.3 PURCHASES OF \$25,000.00 OR MORE BUT LESS THAN \$50,000.00

Purchasing has authority to complete an Agency Purchase Order after solicitation and evaluation of bids. Under limited circumstances, as documented on a Sole Source Justification form, the Department may request purchase from a single vendor.

603.1.4 PURCHASES OF \$50,000.00 OR MORE BUT LESS THAN \$250,000.00

Purchasing has authority to submit an Agency Purchase Requisition to U of M Purchasing who has authority to complete the purchase order after solicitation and evaluation of bids. Under limited circumstances, as documented on a Sole Source Justification form, the Department may request purchase from a single vendor.

603.1.5 PURCHASES OVER \$250,000.00

Purchasing has authority to submit an Agency Purchase Requisition to the State of Montana Purchasing Bureau who has authority to complete the purchase after solicitation and evaluation of bids. Under limited circumstances, as documented on a Sole Source Justification form, the Department may request purchase from a single vendor.

Special conditions exist for purchases on Term Contract, Requisition Time Schedules or from Central Stores. For specific information, refer to the Purchasing Guidelines.

For all equipment purchases, the Physical Facilities Office must be notified of the following:

- Who
 - Name of person and the department responsible for equipment.
- Where
 - Building and room number where equipment should be delivered.
- When
 - Date of delivery and arrangements for equipment.
- Physical Statistics

- Weight (number of pieces and weight of each piece in shipment).
- Footprint (height x width x length).
- Utilities Required
 - Electrical (voltage, phase, amperage).
 - Mechanical (plumbing: hot/cold water, drain, etc.; heating; cooling; ventilation; make-up air).
 - Other (any special utility requirements not mentioned above).
- Space Modification
 - Carpentry (structural/existing surface modifications such as partitions, doors, locks, etc.).
 - Painting (new/existing surfaces, including floors, walls, and ceilings).
 - Electrical (addition/extension of the building's existing electrical service regarding switch gear, panels, branch circuits, lighting).
 - Mechanical (new or extension of the building's existing plumbing, heating, ventilation air conditioning systems).
 - Other (special systems not mentioned above).

603.2 PROCESSING INVOICES FOR PAYMENT

The Accounts Payable Office will utilize the rapid invoice processing for all purchases less than \$5,000.00. This process allows accounts payable to pay invoices weekly.

For all other categories, the responsible administrator verifies the goods received, signs the invoice for approval of payment, and forwards the invoice to the Accounts Payable Office for processing.

603.3 VALIDITY OF INVOICES

All invoices submitted to the Accounts Payable Office for payment must have a purchase order number to be valid for payment. Any invoice being submitted without a purchase order number will not be paid by the Accounts Payable Office and will be returned to the department. Purchase order numbers will not be given after a purchase has been made.

The UM Pro Card may be used with any vendor that accepts Visa. It may be used in place of Petty Cash, Check with Order, Request and Authorization for Payment, or Purchase Orders. Cards are issued to individual employees of Montana Tech and are valid for two years. Pro Cards are required for purchasing airfare, lodging and rental vehicles. Travel only Pro Cards may be issued to individuals whose only purchasing need is traveling. Departments determine their individual cardholders. Receipts for purchases made with the Pro Card must be sent to the Accounts Payable Office **immediately** for the redistribution of charges. A full copy of current UM Pro Card procedures may be found at <http://www.mtech.edu/purchasing/>.

603.4 PRINTING PROCUREMENT

To purchase printing and graphic art services, The University of Montana Printing and Graphics Services has the right of first refusal for all printing requests. Failure to contact UM Printing and Graphics Services for printing services may result in a penalty assessment to the department not using these services. The full text of The University of Montana – Missoula Policy Number 303.1.1 – Purchasing – Printing & Publication services may be viewed at the following web address: <http://www.umt.edu/policies/financial/default.htm>.

UM Printing and Graphics Services provides a variety of services, including business cards, letterhead, brochures, binding, and MT Tech logoed printing. UM Printing and Graphics services should be contacted directly for printing services. Their contact information is found at <http://www.umt.edu/printingandgraphics/>. For items

refused by UM Printing and Graphics services, standard purchasing procedures are followed, including competitive quotes for items exceeding \$5,000. **These restrictions do not apply to photocopying, which can be handled locally through the Central Duplicating Office.**

603.5 BOOKSTORE PURCHASES

Minor office supplies can be purchased through the campus Bookstore with Department Head or Director authorization.

603.6 BOOK AND LIBRARY ACQUISITIONS

Books and periodicals must be purchased through the Library. The Library Director annually notifies the deans of book budget amounts, and the deans allocate funds to individual departments. Faculty request titles through their respective departments. When requests are approved by the Dean, Department Head, or their representative, they are sent to the Library Director for purchase. Staff request purchases through the Library Director. Once the purchased titles arrive in the Library and are processed, they may be checked out by the requestor. The library does not purchase textbooks.

603.7 ENTERTAINMENT

Please refer to the Montana Tech website at <http://www.mtech.edu/purchasing/> for the policy concerning entertainment. An Entertainment Approval Form is also linked on this page for your convenience.

604 REPAIRS AND MAINTENANCE

604.1 LABORATORIES, BUILDINGS AND EQUIPMENT

Work orders requesting minor repairs, renovation of facilities and special maintenance work should be submitted to the Director of Physical Facilities. Normal repairs to the building will be done in response to an e-mail which should be copied to the Physical Facilities Administrative Associate. Work that will be charged back to the requester (new walls, outlets, bookcases, machine shop work, etc.) should be requested by memo to the Director of Physical Facilities. Call the Director of Physical Facilities Office if you need clarification.

605 CENTRAL DUPLICATING OFFICE (CDO)

Some copiers located on campus are activated by an auditron counter. Use of the auditrons may be delegated to individuals for authorized institutional purposes by the department administrator. The department will be billed monthly for copies made using the auditron. A copier located in the CDO is available for general use on a cash basis. A cash auditron may be checked out at the CDO for personal copying on this machine. Additional coin-operated copiers are available in the Library.

Services of the CDO include copying, folding, collating, cutting, stapling, binding, transparencies, scanning images and text, digital photos, layout and design, and lamination. Work can also be enlarged or reduced. In order to reduce costs and improve service, a Xerox high production copier has been installed in the CDO. There is a small charge for other services. Binding can be Planax (glued), GBC (plastic spiral) bound, or 1st Impression (various one piece covers).

Specific schedules and procedures have been prepared by CDO to maximize productivity and to provide quick, dependable service. Please consult with the CDO on these matters.

606 KEYS

606.1 KEY CONTROL POLICY

1. PURPOSE

Montana Tech shall provide facilities access and security procedures to assist key holders in maintaining the security of Campus facilities. It is the responsibility of each key holder to comply with Montana Tech's Key

Control Policy. Key holders are responsible for physically securing access points upon entering or leaving a room or facility after normal operational hours.

2. BUILDING ACCESS

The buildings and facilities of Montana Tech are available for general use by campus employees and students for educational purposes. Under normal circumstances, the buildings will be opened (outside doors unlocked) for business, scheduled activities, classes, labs and library hours, as required. In accordance with this Policy, after-hours access to the buildings may be gained via the use of a building key, an electronic key card, or by calling Security.

3. GENERAL PROVISIONS

- 3.1** All keys are issued by the Montana Tech's Physical Facilities and shall remain the property of Montana Tech.
- 3.2** This key policy is in effect for all key holders and will be equally enforced for all key-holders.
- 3.4** All students and personnel living in Residence Halls, Campus apartments, or Campus dwellings will be covered by this policy, as well as by the provisions provided for in the Residence Life Office Key Policy.
- 3.5** Campus Security and Physical Facilities shall have access to all areas, to include special rooms keyed off of the building master, unless provided for by special provisions.
- 3.6** The Physical Facilities Lock Shop shall have access to all areas on campus and shall be the only department or individuals allowed access to the "Best System" cores, keys and data base system.
- 3.7** It is a violation of this policy to attempt or to have any Montana Tech "Best System" keys duplicated by anyone other than the Physical Facilities Lock Shop personnel. Montana Tech Security and Physical Facilities personnel will have the authority to confiscate any unauthorized or duplicated key(s). Any persons in violation of this policy may have their key issuance privileges revoked.
- 3.8** It is a violation of this policy to change, add to, or alter any Campus approved and installed locking system by anyone other than Physical Facilities personnel. This includes the installation of hasp and padlock or privately supplied locking devices. These devices will be removed and the department or individual responsible for the room will be charged for all incurred costs.
- 3.9** All special "high" security situations involving special security measures will be coordinated between the entity requesting special security, Campus Security, and Physical Facilities.
- 3.10** A Key Inventory Audit List will be issued by Physical Facilities to each department annually. It will be the Department's responsibility to conduct a physical inventory of each person's key(s) on their audit list. It is also the department's responsibility to return this audit list to Physical Facilities in a timely and accurate manner. When Departments do not comply, they will be referred to the appropriate Vice Chancellor or the Chancellor for follow up.

Keys will not be issued to a department (or individual) if the current year's Key inventory Audit has not been returned to Physical Facilities within the time-frame indicated on the inventory memo and/or until the Audit is corrected.

4. KEY REQUESTS AND ISSUANCE

The holder of a key to any Montana Tech facility assumes responsibility for its use and safekeeping. It is understood that the key will not be loaned, transferred, or made available by any other means to unauthorized persons.

4.1 University Employee Procedure for Issuing and Returning Keys:

If required, Campus keys are issued when an employee begins campus employment, is promoted, transfers departments, or changes room assignments. Campus keys **must be** returned when an employee terminates campus employment, retires, resigns, is promoted, transfers departments, or changes room assignment. All keys must be returned to and will be issued from Physical Facilities.

- 4.2** To be issued a key, a Key Request form must be completed, signed and must include an EMPL-ID number or social security number. Alteration of this form will preclude its use. This form must be submitted to the Physical Facilities Department along with the returned keys (if applicable). Once the key request has been approved by Physical Facilities and is processed by the Physical Facilities Locksmith, the individual to whom the key is being issued will be notified by phone or email. The individual must come to Physical Facilities to pick up the key(s); keys are not sent through campus mail.
- 4.3 **Refusal to return a key upon request may result in arrest for theft of College/State property.****
- 4.4** Employees issued Master key rings, route keys, and residence hall room masters are to be worn on a belt with a minimum of two attachment points, such as a retractable key chain and a belt clip.
- 4.5** Master key rings will not be taken off campus except for authorized Campus business.
- 4.6** All requests for keys must be submitted to Physical Facilities on a Montana Tech Key Request Form.
- 4.7** Appropriate Department Heads, Deans and Administrators are responsible for reviewing, approving and signing employee key requests and/or lock changes. In no case shall the same person to whom the key(s) is being issued, authorize the issuance of a key or keys, nor may keys be authorized by anyone with less than Department Head authority.
- 4.8** Departments can request keys for only those rooms and areas assigned to their Department.
- 4.9** Only one room key, outside door, submaster, or building master key will be issued to any one individual (no multiples of the same key).
- 4.10** All incomplete, illegible, incorrect, or unsigned forms will be returned.
- 4.11** When the key(s) is ready, the requesting individual person listed on the key request form will be notified that their key(s) is ready for pick up.
- 4.12** A picture ID will be required when the key holder picks up the key(s) at Physical Facilities.
- 4.13** A new request form will be required if key(s) is not picked up within two weeks after notification the key is ready for pickup.
- 4.14** Records of all keys issued will be kept on a computerized key data based system maintained by Physical Facilities Department.
- 4.15** Vendors and Contractors will be required to check out a key from Physical Facilities for any work that requires a key for any building. They will also be required to return the key to the Physical Plant each day prior to leaving the Campus.

4.16 Procedure for Issuing Keys to Students and Student Employees:

Keys shall be issued to students **only in rare circumstances** and **for no longer than the current semester**. Failure of a student to return a key at the end of the semester will result in a “hold”

being placed on their school records and registration. Student key request will require both Department Head and Dean approval (signature). In all other cases, students requiring access after-hours will be issued an After-Hours Pass by the Department Head and be granted access as approved by Campus Security.

5. KEY RETURNS

- 5.1** All keys that are no longer needed due to transfer, termination, retirement, etc. shall be returned to Physical Facilities. Under no circumstance are keys to be transferred to any other individual or left with the Department.
- 5.2** A receipt will be issued to the individual and to the Department each time keys are returned or picked up.

6. LOST, STOLEN, NON-RETURNED KEYS

- 6.1** A **\$30.00** per key charge will be assessed to a key holder who has signed for any key that is not returned.

If a key is lost or stolen, it is the responsibility of the individual assigned the key to immediately notify Physical Facilities and the Department who authorized the key(s). Failure to do so may result in the loss of key privileges.
- 6.3** If an individual has two or more separate incidents of lost, stolen, or non-returned key violations, his/her key privileges may be revoked. Nothing in this policy will preclude any Department and/or Campus disciplinary policies.
- 6.4** A serious security breach exists when either an outside door key or a building master key is not returned, or is lost or stolen. It is mandatory to rekey/recore the effected doors and the Department will pay for all costs associated with re-securing the affected area(s).
- 6.5** Possession of unauthorized keys or alteration of keys is prohibited. If an individual is found to possess and/or use unauthorized keys, or is found to have altered keys, appropriate disciplinary action will be taken in accordance with applicable policies and regulations.
- 6.7** When keys are identified as unaccountable on the key inventory, written notification from the Dean or Department Head must be sent to the key holder requesting return of the key(s). A copy of that notification must be sent to Physical Facilities.
- 6.8** Upon leaving Montana Tech, and until such time as all issued keys are returned and accounted for, the College may withhold the cost of re-keying from the employee's final Paycheck, or take other legal action.
- 6.9** Students may have grades and/or transcripts withheld until all keys are returned.

7. DAMAGED KEYS AND LOCKS

- 7.1** If a key is broken or otherwise damaged, the pieces must be returned to Physical Facilities. If a key is broken off in a lock, it must be reported to Security and the Department Head immediately.
- 7.2** A new key will be issued after key damage verification. A Key/Lock Change Request form will not need to be completed for replacement of damaged/broken keys if the original key is returned to Physical Facilities.
- 7.3** There is no charge for the replacement of damaged/broken keys provided the defective key is returned to Physical Facilities.
- 7.4** It is the responsibility of the key holder to report any malfunctioning locks to the Physical Plant at ext. 4168 or to Security at ext. 4357.

8. DUPLICATION AND TRANSFER OF KEYS

- 8.1** All keys must be checked in and out at Physical Facilities. Key transfers directly from one person to another are strictly prohibited.
- 8.2** Duplication of any Montana Tech key by an outside key manufacturer, vender or contractor is illegal and strictly prohibited. All duplications must be requested and approved through Physical Facilities and completed by the Campus Locksmith. Any student, faculty, or staff found in possession of an unauthorized key, who transfers key, loans or duplicates any issued key, will be subject to appropriate disciplinary action.
- 8.3** Unauthorized keys will be confiscated and returned to Physical Facilities.

9. FEES FOR LOST OR UN-RETURNED KEYS

Physical Facilities is authorized to require payment for the reasonable cost of each Campus key not returned. The employee or Department in which the individual is (was) employed is responsible for the cost.

- 9.1** Lost or un-returned individual hard key: **\$30.00** each key lost and **\$75.50** for each lock that is re-keyed/re-cored in order to restore security. Note - an individual key may unlock more than one door.
- 9.2** Lost or un-returned Sub-Master hard key: **\$50.00** each key lost and **\$75.50** for each lock that is re-keyed/re-cored in order to restore security.
- 9.3** Lost or un-returned Master hard key or Master key ring: Cost of re-keying a whole building or the entire Campus lock system.
- 9.4** Lost or un-returned electronic cardkey: **\$10.00**.

10. KEY POLICY VIOLATIONS

- 10.1** Persons in violation of this policy are subject to disciplinary action up to and including termination and may be assessed appropriate damage and/or replacement costs.
- 10.2** Physical Facilities will provide education and training in adherence to the key policy and issuance of keys at no cost to departments.

11. PERSONAL IDENTIFIER CODE

Each key will have a specific identifying code that is unique to that key in order to help ensure the safety and security of the Campus community.

12. RECORD-KEEPING AND AUDIT PROCESS

- 12.1** Physical Facilities will maintain records of keys issued to all Campus employees using a security software system that will record building key data and employee key records.
- 12.2** Physical Facilities will periodically perform physical inventories of keys. Keys found missing at that time would be subject to charges listed above.

13. KEY LEVEL LIMITATIONS

The following is a list of the types of keys manufactured and issued by the Physical Facilities, the individual(s) to whom each type of key is issued, and the individual authorized to issue the key:

- 13.1 Individual Room Keys:** Opens specific interior doors.
 - 13.1.1** The individual assigned to the office is issued this key.
 - 13.1.2** The appropriate Department Head or Dean is authorized to issue this key.

13.2 Sub Master Keys: Opens multiple interior doors to a specific building.

13.2.1 Individuals assigned office space in the building who require after-hours access on a routine basis are issued this key.

13.2.2 The appropriate Department Head or Dean is authorized to issue this key.

13.3 Building Master Keys: Opens both interior and non-card access exterior doors to a specific building.

13.3.1 Deans or Department Heads whose responsibilities require access to all areas of a specified building are issued these keys.

13.3.2 Certain other Administrators who require access to a specific building are issued these keys.

13.3.3 Campus Executive Officer designates who have the need to access areas within their responsibility are issued these keys.

13.3.4 Specified maintenance personnel are issued these keys.

13.3.5 Security personnel are issued these keys.

13.3.6 Chancellor, Vice Chancellor or Dean is authorized to issue these keys to the above listed individuals. Other individuals who have the right and need for such a key must be approved by the appropriate Campus Officer. In no case shall the same person to whom the key or keys are to be issued authorize the issuance of a key or keys, nor may keys be authorized by anyone with less than Dean's authority.

606.2 KEY POLICY SUMMARY AGREEMENT

To increase the safety and security of **Faculty, Staff, Students, Visitors, and Property** at Montana Tech, we have implemented a new key system. Access for building entry will be with the use of a key, provided to each employee by Campus Administration, and is to be used only for authorized building access. These keys are the property of Montana Tech and the State of Montana. They are issued in accordance with the terms and conditions of Montana Tech's Key Control Policy dated 02/16/06. Each key has a specific location use, and staff having access to multiple areas may be carrying multiple keys.

The keys are the responsibility of the individual to whom they are issued, and as such, Montana Tech's Key Control Policy and the Guidelines listed below shall be applicable to all key-holders. Failure to comply with this policy may put Montana Tech's property, employees and students at risk, and may result in disciplinary action, termination of employment and payment of any damages incurred through misuse of the key.

Guidelines:

1. At no time will the key holder loan the key to anyone.
2. Any security alarm system authorized arm/disarm code is unique to each employee, and is tracked internally.
3. A key that is lost or stolen must be reported immediately to Physical Facilities/Security. Failure to do so could result in the assessment of charges for any damages incurred as a result of the lost/stolen key.
4. Any key damaged during the course of day-to-day activity will be replaced by Physical Facilities at no charge to the individual – provided the damaged key is returned to Physical Facilities.
5. Any key purposely damaged will be replaced at a \$30.00 cost to the employee.
6. The key(s) must be returned to Physical Facilities at the end of employment or when the key(s) is no longer required.

7. Failure to return the key could result in withholding the re-keying cost from a final paycheck or other legal action.
8. All key request forms must be approved and signed as detailed in the Key Control Policy.

Montana Tech takes the safety and security of **Faculty, Staff, Students, Visitors, and Property** seriously, and expects all employees to comply with the integrity of these measures. The intent of the Key Control Policy is to secure the buildings, site, and facility in general, from non-authorized personnel during non-business hours, and to protect the assets of Montana Tech.

I have read and understood this document and agree to the implications associated with the use of any key(s).
I have read the complete Key Control Policy, and agree to comply with this Policy.

SIGNED: _____

DATED: _____

607 BOOKSTORE

Located in the Mill Building, the Bookstore is open Monday through Friday. The Bookstore stocks textbooks, academically priced software, classroom supplies, Tech stationery and clothing, as well as a wide selection of office supplies.

608 VEHICLE REGISTRATION AND PARKING REGULATIONS

The chief executives of the Montana University System campuses are authorized to charge a motor vehicle registration fee or vehicle parking fee, or both, and are also authorized to enforce the rules and regulations concerning the parking and operation of vehicles upon the grounds, streets, drives, and alleys of each campus in accordance with sections 20-25-311 and 20-25-312 MCA and appropriate Board of Regents Policy 940.11.

All students, faculty, and staff must register each motor vehicle to be parked on the Montana Tech campus with the Physical Facilities Office in accordance with Montana law pertaining to parking and traffic on university grounds. Unpaid parking fines and violations can be withheld from an employee's paycheck if not paid within the specified time period. Repeated violations may result in the vehicle being towed away.

Rules and regulations for vehicle registration and parking regulations for the campus of Montana Tech are issued periodically and may be obtained from the Physical Facilities Office.

All faculty, staff and administrators may elect payroll deduction to pay their annual parking decal fees. Parking fee payroll deductions now qualify as a pre-tax deduction. Faculty, staff and administrators who continue to pay their parking decal fees directly and do not utilize the payroll deduction benefit will not be eligible for a pre-tax deduction. Payroll deduction must be elected at the time of sign-up. Please apply at the Physical Facilities Office.

609 CAMPUS MAIL AND POSTAL SERVICES

Official mail originating in departments of the Institution will be delivered to the Mail Room for mailing. Any mail order other than first class must have the desired classification indicated in order that proper postage can be affixed. Unless otherwise noted, mail will be posted as first class. Each department will be charged for the postage it uses. All mailings must have the name of the individual sender shown in the return address, in addition to the Institution's name. In order to properly maintain cost records, it is necessary that the Institution's outgoing metered mail be identified by department. This should be added to the campus return address of the envelope.

The Mail Room is also the shipping and receiving center for UPS and truck common carriers delivering or picking up shipments for the Institution.

The campus mail distribution service is intended for certain categories of mail as follows:

- All mail delivered by the United States Postal Service or other commercial carrier having a specific name or office indicated as destination;
- All literature and information provided by the State of Montana or any subdivision; and
- Internal communications sent by and distributed to Montana Tech faculty or staff, ASMT, and authorized faculty and student clubs, committees, and organizations.

Campus mail is not intended for the distribution of materials that promote a specific political campaign or cause, nor is it intended for commercial profit or nonprofit solicitation of funds unless the solicitation is approved by institutional policies.

610 AUDIO-VISUAL EQUIPMENT AND MATERIALS

Montana Tech has audiovisual equipment and supplies available for classroom use and for meetings and conferences. Faculty should check with their departments since most departments have an inventory of equipment specifically for their own use. Audiovisual equipment for conferences and workshops may be requested through the Scheduling Office at ext. 4335.

611 STUDENT UNION BUILDING

The Director of Student Union/Activities is responsible for the management of the Student Union Building. Guidelines, which pertain to all campus employees, students, and community users, are as follows:

1. No curricular classes, workshops, or seminars for which credit is given, tuition charged, or attendance required may be conducted in the Student Union. Exceptions may be allowed for 'short' courses conducted during scheduled academic breaks that have special need of the building facilities. Permission may be granted by the Associate Vice Chancellor for Student Affairs/Dean of Students. The Student Union Scheduling Office is the official contact for all non-classroom campus facility scheduling.
2. Meeting reservations are accepted on a first-call, first-served basis. The Student Union Scheduling Office reserves the right to change meeting locations/rooms as needs require.
3. The Student Union has numerous bulletin boards for noncommercial advertising purposes. All postings require an approval stamp obtained from the Student Union information desk. Maximum length of time for postings is 14 days.
4. Food Service - The Tech Food Service offers a full range of breakfast, lunch, dinner, and snack/beverage services. Food Service is also capable of providing both on-campus and off-campus catering services and concession operations. Campus employees are reminded that all catering requests are first processed through the Student Union Scheduling Officer at ext. 4335.

612 COMPUTING AND TELECOMMUNICATION

Montana Tech utilizes a modern digital telephone switch providing many comprehensive features. On site programming and maintenance permit customizing the user's service for maximum efficiency. Faculty and staff have access to local and state networks and a national carrier. Departments are invoiced monthly for all calls. Long distance service is limited to state business only and access to all carriers by means of a personal credit card is permitted.

To establish, discontinue or change service, set up voice mail, schedule training, or if you need a state credit card or PIN number, contact the Telecommunications Office at ext. 4499. Any telephone related questions should be directed to this number.

The Institution has an extensive computing and telecommunications network. The main administrative software package is Banner. It is supported by Information Services and has modules for every aspect of campus administration. Access to Banner for most students, faculty and staff is provided through Oredigger Web. Enrollment Services provides training for OreDiggerWeb during orientation. Requests for faculty and staff Banner Student accounts can be directed to Information Services at ext. 4270.

The campus uses Microsoft products for general software functions such as word processing, spreadsheets and presentation development. Email service is handled by Microsoft Exchange. Faculty and staff generally access it through Outlook when on campus. Students, faculty and staff can use Outlook Express over the WEB when off-campus.

Delivery of instruction over the network is handled by Blackboard. Many classes are enhanced through the use of Blackboard and a growing number are available 100% over the WEB. A new version of Blackboard has been implemented along with a new Portal (MyMTech) for all Montana Tech students and employees and thus greatly facilitate the use of the primary software tools on campus (Banner, Library, Blackboard, Email, Scheduling, General Internet). Faculty and staff needing access to Blackboard for course development or training should contact the Campus Technology Services Help Desk at bbsupport.mtech.edu or ext. 4244. Access to Blackboard can also be requested in the original "New Faculty Account Request" sent to Network Services.

Video conferencing through the statewide METNET system is available on campus, and can be scheduled by contacting ext. 4287.

613 DISASTER AND EMERGENCY SERVICE

Montana Tech has a comprehensive emergency plan, the *Emergency Action and Crisis Protocol Manual*, to which all employees have access, and everyone should become familiar with its contents. All departments should have a hard copy of the plan, and it is also available on the Environmental Health & Safety website.

In the event of a disaster, Montana Tech will attempt to keep all employees informed through our emergency notification plan, which includes but is not limited to e-mail, phone, and in-person notification.

In any emergency situation, protection of people is a priority. ALL students, faculty and staff must evacuate a building immediately when the fire alarm sounds. Doors should be closed on the way out to prevent the spread of smoke and fire. Exit the building and proceed to the appropriate assembly area. Do not leave the assembly area until you have signed the evacuation sign-in sheet and have been accounted for.

For any emergency requiring assistance, dial 911 if appropriate and then notify Environmental Health and Safety at 4463 and Campus Security at 4357 (HELP). See the *Emergency Action and Crisis Protocol Manual* for complete instructions. (Note: you do NOT have to dial "9" before dialing 911.)

For facility emergencies such as electrical problems, flooding or other building issues, notify the Physical Plant at 4168 or 4268 during normal hours. After hours, call Campus Security at 4357 (HELP) and the Boiler Room at 4199.

Additional information is included in the Emergency Action and Crisis Protocol Manual. A copy of the plan may be requested from the Environmental Health & Safety Director at ext. 4463 or see http://www.mtech.edu/env_health_safety/pdf/Emergency%20Plan%201-06%20revisionTOC%209-06.pdf.

614 MEDICAL SERVICES FOR STUDENTS AND STAFF EMERGENCIES

Montana Tech has a Student Health Center with a nurse on duty four hours a day (10 a.m. to 2 p.m.) and a physician on duty two hours a day, Monday through Friday. Faculty and Staff do not have access to the Student Health Center.

As stated in Section 510, Safety Policy, any employee who is in need of medical treatment because of a work-related accident or injury should:

If the injury is not life threatening, attempt to see a family physician first. If that is not possible, go to an Express Care unit or to St. James Healthcare Emergency Room.

If the injury requires immediate attention, go to St. James Emergency Room.

In the event of a serious accident or injury where victims should not be moved, call 911.

St. James Community Healthcare emergency room accepts all emergency cases brought to them from Montana Tech. If a doctor is not recommended by the patient, the hospital will contact a staff doctor or use the emergency room where a doctor is on duty 24 hours a day.

615 TORT CLAIMS AND ACCIDENT REPORTS

Specific policies and procedures must be followed at Montana Tech in the event of a loss or accident. A loss is defined in this policy and procedure as "any losses stemming from property damage, fire acts, employee theft and all other self-insured losses which result in '**property damage**' or '**bodily injury**' and may result in legal liability for the State of Montana."

Property claims typically arise due to damage caused by perils such as flood, fire, earth movement, frozen pipes, or theft. Liability damages include property damage to third parties, and legal liability stemming from negligent acts of omission or commission by Montana Tech employees or agents of the Institution.

The Risk Management Representative will represent Montana Tech in reporting to the Tort Claims Division in Helena, and for coordinating the adjustment and settlement of all claims for the Institution.

After a loss has been revealed, the responsible employee most familiar with the incident should immediately notify their supervisor who will contact the Risk Management Representative (ext. 4380).

Any loss which poses an immediate threat to institutional property or involves a fatality or severe bodily injury must be telephoned by the employee or supervisor to the Risk Management Representative (ext. 4380) and to the Director of Physical Facilities (ext. 4399) immediately. The Risk Management Representative will coordinate with the Campus Security Officer to investigate the incident.

In the event of a claim involving bodily injury or extensive property damage, all Montana Tech employees are cautioned **never to accept or acknowledge liability or furnish information on accidents or lawsuits to unauthorized persons**. Obtain names and addresses of witnesses on all potential liability claims. Only the State Tort Claims Division can make determinations of responsibility or fault. Montana Tech employees are not to make any value judgments concerning responsibility. Employees are expected to restrict their comments to an objective, factual report of the incident.

All claims require the completion and submission of a '**report of incident**' form and an accident/incident investigation statement that will be submitted to the Tort Claims Division by the Risk Management Representative. These typed reports will be forwarded to the Tort Claims Division within five working days of the date of the accident/occurrence.

Immediately following a loss, or alleged loss, the employee/supervisor will take every necessary precaution feasible to prevent further damage to Montana Tech assets, such as property or personnel, or to third parties.

For further information, please consult with the Risk Management Representative at ext. 4380. A copy of the Montana Tech Tort Claims and Risk Management Procedures is available through the Personnel Office. All Managers and Department Heads should have a copy for reference.

616 MINERAL MUSEUM

616.1 OPERATION

The Mineral Museum is staffed by the Montana Bureau of Mines and Geology in space provided by Montana Tech of The University of Montana. Staffers are part-time, and include a Curator, a Program Director, and a

technician who assists both the Curator and Program Director with their priorities. Students are also hired on a part-time basis. Museum operations and activities are under the general direction of the Director of the Montana Bureau of Mines and Geology and are subject to approval of the Chancellor of Montana Tech of The University of Montana.

616.2 DUTIES

Administration of the Museum collection is the primary responsibility of the Curator. The Program Director has primary responsibility for the day-to-day operation of the Mineral Museum, including establishing visitor hours, hiring and supervising students, and planning Museum outreach programs. The Program Director and Curator collaborate on Museum activities such as revisions to Museum exhibits, planning special exhibits and programs, other one-time Museum operations, the disposition of specimens, and development of Museum policy, and will solicit the assistance of other Bureau staff or other individuals as necessary and appropriate. All staff report to the Director of the Montana Bureau of Mines and Geology.

616.3 GIFTS AND LOANS

Specimens destined for donation to the Mineral Museum will be formally received by the Montana Tech Foundation, which will acknowledge the donation if (a) the donor provides an appraised value or (b) the donor requests a receipt of the donation for tax purposes. Donations not fitting these requirements may be accepted by the Curator or Program Director. Any valuation of a donation is strictly the responsibility of the donor. No commitment will be made to a donor as to the eventual disposition of his donation. A Specimen Tracking Form will be filled out for each donation.

All loans to the Mineral Museum and the terms thereof will be subject to the approval of the Bureau Director and the Chancellor, except for loaned specimens with a replacement value of less than \$1,000, which may be approved by the Museum Curator and/or Program Director. Acceptance of loans shall be based on a written loan agreement signed by the Lender and by the Curator, Bureau Director, and Chancellor on behalf of the Museum (only the Museum Curator's signature is required for loans under \$1,000).

Temporary custodianship of a collection, pending the signing of the agreement, shall be expressly stated to be without liability. No commitment shall be made which will limit the ability of the Institution to display or not to display any part of a collection, or to arrange it in two or more locations. All parts of the collection on display will carry due acknowledgment to the lender or donor in the usual form. Each loan agreement shall contain a statement requesting 30-day notice of intent to withdraw the loan and shall state explicitly that in caring for loan material, the Institution will use the same care and protection which it gives its own materials, but that it cannot be liable for loss or damage beyond such protection.

616.4 DISPOSITION OF SPECIMENS

Specimens will be accessioned into the Mineral Museum collection, held for sale in the sales area of the Mineral Museum, used for educational purposes, or discarded if deemed to not have educational or monetary value. The disposition of the specimens will be decided by the Curator. More specific conditions regarding sale and trade of specimens follow.

616.5 SALE OF SPECIMENS

Specimens accessioned in the collection of the Mineral Museum are not to be sold unless the specimens have been properly de-accessioned*. Specimens available for sale in the sales area of the Mineral Museum will be those donated specifically for resale, those specimens from donated collections that are not suitable for the Mineral Museum collection or educational uses (which may include de-accessioned specimens), and those specimens purchased with Museum funds specifically for resale.

* No policy on de-accessioning has been established, so until a policy is written and approved, no specimens in the accessioned collection may be sold or traded.

Note: There are numerous specimens in most donated collections that are not of sufficiently high quality or scientific value to be accessioned into the collection of the Mineral Museum. When specimens are received, the donor is informed that they will be put to the best possible use, which, in addition to inclusion in the collection of the Mineral Museum, includes use for instructional purposes in the Institution, and for sale in the sales area.

616.6 TRADE OF SPECIMENS

Accessioned specimens may not be traded. Even if a policy for trading is established in the future, specimens may not be traded from any of the following collections:

- Clark collection
- Gallagher (Pohndorf) collection
- Fowler collection
- Ettie Henderson collection
- Dr. Eddy collection
- Klepetko collection
- Hritsco collection
- B. Hoskins collection
- Bert Dyer collection
- Any other collection received prior to 1954

616.7 RECORDS

All specimens and objects shall be identified clearly, and the Specimen Tracking Form will be used to record the donor, the date of receipt, status as a gift or loan, any other information provided, and the disposition of the specimen. The Museum will keep the form as a permanent record, and the donor will be provided a photocopy of the form with the information provided at the time of his donation.

The Curator and Program Director will provide the Bureau Director and Chancellor with an annual statement including the following information:

1. A summary of donated specimens indicating disposition of specimens.
2. A list of specimens purchased for accession.
3. A summary of museum gift shop sales.
4. A summary of other museum activities, including programs and significant changes to exhibits

APPENDICES

APPENDIX A

FACULTY COMMITTEES

Academic Freedom and Tenure Committee

The committee considers appeals by faculty of administrative decisions that impair the faculty member's academic freedom or violate the procedures for obtaining tenure. The committee attempts to resolve disputes in an informal manner, but formal hearings may also be held. Ordinarily, the committee will not offer judgments on the merits of a faculty member to qualify for tenure, but will only attempt to determine if the faculty member has had fair and due process in all proceedings. The committee may offer its judgments in matters concerning academic freedom. The committee submits a written report of its findings to the appealing faculty member and the administration.

Only tenured members of the faculty are eligible for membership on this committee.

Academic Standards Committee

The Academic Standards Committee is responsible for maintaining the academic policies established by the Board of Regents and faculty pertaining to students. It develops academic policy for approval of the faculty and hears appeals from the students who have come into conflict with those policies.

Collegiate Evaluation Committee

Representation on the Committee

A Collegiate Evaluation Committee, comprised of full-time, tenured, full professors and representative of each School/College, will be established each academic year. Each School/College Dean will arrange for the election of two representatives from his/her School/College no later than October 1 and report the name of the representative to the VCAA/R. In addition, each faculty member being evaluated may select a tenured faculty representative as a voting member of this committee. (This person need NOT be a full professor.) Representation of the one additional member, therefore, may differ with each case being evaluated.

Deans, Department Heads and members of the Academic Freedom and Tenure Committee or of the Grievance Committee, who might hear promotion and tenure appeals or grievance cases, are not eligible for this service.

The VCAA/R will call the first meeting (only) for the committee to elect its chair on or before November 15th.

Tasks of the Committee

Following the review of the portfolio of the person seeking promotion or tenure (or both), or persons midway towards tenure by that individual's department and Dean, the Collegiate Evaluation Committee including the designated faculty representative will examine individual portfolios and will meet to discuss the materials. Those being evaluated will not be present, but the committee may choose to solicit further information or clarification of information from the individual or his/her colleagues. Ultimately, the committee will write a positive, negative or qualified recommendation to accompany each portfolio under consideration. That packet will then be carried to the VCAA/R for consideration and for the continuation of the evaluation process.

This committee will not rank or prioritize portfolios being reviewed.

Curriculum Review Committee

The Curriculum Review Committee (CRC) functions in an oversight and review capacity. It reviews and approved all curriculum matters – both at the undergraduate and graduate level – before sending any of these matters to the General Faculty. In this capacity the CRC ensures the following: 1) that all curriculum changes

coming from an individual department are coordinated with the curricula of other departments and do not impact negatively other curricula; and 2) that academic standards are upheld.

Thus, the Curriculum Review Committee will first review and then submit to the faculty with a positive or negative recommendation all curriculum issues submitted to it by a School/College. These matters will include all new courses, all course changes, all newly developed academic programs and all academic program changes. Before acting on anything, the CRC will circulate all proposed curriculum matters to all Deans and to the VCAA/R.

The CRC, of itself, may initiate curriculum changes. However, the normal flow for curriculum matters is first from a department to its college, then to the CRC, next to the General Faculty, and finally to the Board of Regents. In effect, approval is required from one group before proceeding to the next group in the “flow.” Following this chain of command will ensure open communication, discussion, and input and will enhance the process of “reviewing” curricula.

Composition

The CRC membership shall be as follows:

- One member below the rank of Dean from each academic department;
- One student member;
- Registrar (ex-officio member);
- One member from the Library (ex-officio member);
- VCAA/R (ex-officio member); and
- Faculty Senate representative.

Finally, the Chairman shall be elected by the committee.

Faculty Senate

The Faculty Senate promotes stable growth and continued improvement of higher education at Montana Tech and in the State of Montana, facilitates communication and cooperation among administrative and faculty personnel, and works to ensure the continued development of institution educational programs and policies. Members are elected by the faculty each academic year for two-year terms; four members are eligible for election each year. The by-laws of the Faculty Senate are attached to the Handbook as Appendix D.

Committee on Service

The Committee on Service assures proper professional tenure of administrative officers and members of instructional and scientific staffs, and promotes efficient service to the Institution. At the direction of the Chancellor of the Institution, or upon the request of any staff member whose removal is proposed, or who is under suspension, the committee inquires into the case and submits a report of its findings to said Chancellor and to the staff member involved. The Chancellor transmits a copy of such report for the consideration of the Board of Regents of Higher Education. The committee consists of three faculty members on permanent tenure, one selected by the Commissioner of the Board of Regents of Higher Education, one selected by the faculty, and one appointed by the Chancellor. The committee members shall elect the chair. (BOARD OF REGENTS' POLICY 710.2.2)

Graduate Council

The Graduate Council serves to ensure consistency and quality in and across graduate degree programs. The Graduate Council considers and recommends action(s) to the Vice Chancellor for Research and Graduate Studies on all matters brought before it by an officer of the Graduate School, a member of the Graduate Council, or any faculty member in any of the graduate programs.

Instructional Improvement Committee

The Instructional Improvement Committee (I²C) serves as a vehicle to enhance and promote effective instruction and learning. The committee is concerned with faculty and instructional development, and the physical environment in which learning takes place, and the recognition of quality teaching.

To accomplish its mission, the Instructional Improvement Committee, among other activities, has:

- Sponsored seminars, discussions and workshops;
- Administered the Faculty Achievement Awards program;
- Promoted student evaluation of classes by the Small Group Instructional Diagnosis (SGID) process;
- Solicited, evaluated, and funded proposals for programs that facilitate improved institution teaching; and
- Recommended improvements in the classroom environment.

The I²C members should reflect a cross section of the faculty. The committee represents the interests of the faculty. At the end of the spring semester of each year, the current chair submits to the VCAA/R a list of interested faculty willing to serve on the committee. Working from this list, the VCAA/R then appoints next year's committee. The committee will include a Faculty Senate representative and, as ex-officio and non-voting members, the Director of Physical Facilities and representatives from the Library and Computer Services. At the first meeting of the I²C in the fall semester, a chair and secretary are elected by the committee.

Research Advisory Committee

The Research Advisory Committee serves to ensure the quality and integrity, and promote the vitality of the research programs at Montana Tech. The committee may make recommendations to the Vice Chancellor for Research and Graduate Studies on matters brought before it by committee members or Montana Tech faculty. On occasion, the committee will be requested to review, initiate or endorse proposals that relate to research policies, practices, and budgets from the Montana Tech campus.

Assessment

The Research Advisory Committee will make a periodic assessment of the performance of the campus research effort. This assessment may include, but not be limited to, evaluation of degree production, publications, patents, sponsor feedback, faculty workloads, student scholarship and public support of academic research. The Research Advisory Committee will forward the results of this assessment, along with any recommendations, to the Chancellor for his action.

Membership

The committee shall consist of no less than 10 members selected from the research active faculty at Montana Tech by the Vice Chancellor for Research and Graduate Studies, with the advice and consent of the VCAA/R. The Faculty Senate and the Montana Bureau of Mines and Geology shall each have at least one member on the committee. The committee shall be chaired by the Vice Chancellor for Research and Graduate Studies. The Vice Chancellor for Academic Affairs and Research, the Director of the Office of Contracts and Grants, and the Director of Physical Facilities shall serve as the ex-officio members of the committee.

Meetings

The committee shall meet at the pleasure of the chair or by petition of any member of the committee.

APPENDIX B

CONFIDENTIAL

Montana Tech of The University of Montana

Tenure Progress Report

(To Be Completed by all Tenured Members of the Department)

Name: _____

Department: _____

Years of Service: _____

In my view the following progress toward tenure is being made:

Comments (Required):

Instruction:

Research:

Service:

Good Progress

Satisfactory Progress

Less Than Satisfactory Progress

Signed: _____

Date: _____

APPENDIX C

Montana Tech of The University of Montana

Department Heads Certification

Tenure Progress Report

Name: _____

Department: _____

Years of Service: _____

I have discussed the attached progress toward Tenure Progress Reports with the above individual.
Overall the Department judges progress toward tenure and promotion as:

Comments (Required):

Instruction:

Research:

Service:

Good Progress

Satisfactory Progress

Less Than Satisfactory Progress

Signed: _____

Date: _____

Department Head

APPENDIX D

BYLAWS OF THE FACULTY SENATE MONTANA TECH OF THE UNIVERSITY OF MONTANA

Butte, Montana

(Revised according to faculty action 11/01/01)

PREAMBLE

To promote the stable growth and continued improvement of higher education at Montana Tech of The University of Montana and in the State of Montana; to facilitate communication and cooperation among administrative and faculty personnel; and to insure the continued development of our educational programs and policies: We the Faculty, do hereby establish and subscribe to this Constitution of the Faculty Senate of Montana Tech of The University of Montana.

Article I. Name

The name of this organization shall be the Faculty Senate of Montana Tech of The University of Montana (the Faculty Senate) at Butte, Montana.

Article II. Purpose, Functions and Duties

SECTION 1: Purpose

The purpose of this organization shall be:

To participate as an advisory body in the formulation, implementation, and review of institutional policy and to provide the means for the faculty to initiate action on matters with which it is directly concerned.

SECTION 2: Functions

Within the framework of rules and regulations set forth by the State Board of Regents, the functions of this organization shall be:

- a. To study and discuss institutional problems referred to it and, where appropriate, to make recommendations to the administration.
- b. To initiate suggestions for changes in the area of institutional policies affecting the instructional program of the college.
- c. To serve as a channel of communication between faculty and the administration and, through the administration, to the State Board of Regents.
- d. To aid the students, the faculty, the administration, and the State Board of Regents in developing policies coordinating the total college community.

- e. To consider policies concerning admissions, curricula, granting of degrees, and comparable academic concerns.
- f. To consider policies concerning faculty selection, promotion, tenure, leaves, and termination of employment.
- g. To advise, with the Chancellor, in the selection of administrative personnel when vacancies exist.
- h. To advise, with the State Board of Regents, in the selection of a Chancellor when a vacancy exists.
- i. To seek means for raising the level of all aspects of professional performance.

SECTION 3: Duties

The duties of the organization shall be:

- a. To examine all matters under consideration from the point of view of the welfare and best professional interests of the college and in the light of its total educational objectives.
- b. To acknowledge each recommendation or request submitted and, upon completion of its considerations, state the action recommended.

In the performance of its duties, the Faculty Senate is not to interfere with or infringe upon the academic freedom of individual faculty members.

SECTION 4: Channels and Procedures

- a. To accept for consideration from the faculty or the administration any projects which fall within the scope of Article II, Sections 1 and 2 above.
- b. To initiate projects which fall within the scope of Article II, Sections 1 and 2 above.
- c. To submit recommendations to the faculty or the administration of the College concerning matters which have been considered.
- d. To submit to conference with the entire faculty if necessary any differences of opinion which arise as a result of disagreement between the Faculty Senate and the administration concerning recommendations made.
- e. To refer questions still unsolved after conference to the Chancellor or final reference to the proper agency, such as Faculty Service Committee, Attorney General, State Board of Regents, etc.

Article III. Membership

(Revised according to faculty action 11/01/01)

SECTION 1:

The Faculty Senate shall consist of 10 members -- one which is selected from the Bureau of Mines and Geology, one which is selected from the South Campus faculty at large, one which is selected from the North Campus part-time (e.g., non-tenure track) instructional faculty, and seven which are selected from the North Campus faculty at large who hold faculty rank.

As needed, the size and composition of the Faculty Senate shall be re-evaluated to account for changes in faculty and department structure of the College.

Article IV. Elections

(Art. IV, Sec 1 replaced by following according to faculty action 11/6/72.)

SECTION 1:

Membership in the Faculty Senate shall be determined by annual election held in March. Only persons holding faculty rank are eligible to vote.

Members shall be elected to two-year terms. No more than three-quarters of the entire membership of the Faculty Senate shall have terms which expire in the same academic year. Vacancies created by unexpired terms shall be filled by special election.

Article V. Organization

SECTION 1: Officers

The officers shall consist of a Chairperson, Vice-Chairperson, and Secretary. These officers shall be elected from the total membership of the Faculty Senate at the initial meeting after its annual election.

SECTION 2: Duties of Officers

The Chairperson shall be the principal executive officer and shall have such powers as are appropriate to the office. The Chairperson shall appoint committees and shall be an ex-officio member of all committees except the Nominating Committee.

The Vice-Chairperson shall fulfill the duties of the Chairperson in the Chairperson's absence and shall, otherwise, serve as an assistant to the Chairperson.

The Secretary is responsible for the usual functions of the office, such as:

- a. Keeping the minutes of all regular meetings of the Faculty Senate and making available copies to the entire professional staff and the Chancellor.
- b. Maintaining archives of important papers of the Faculty Senate.
- c. Furnishing notification of all Faculty Senate meetings to all faculty members.
- d. Carrying on pertinent correspondence relative to the Faculty Senate and its activities.

SECTION 3: Committees

The duties of all committees shall be determined by the Faculty Senate. Committees shall be appointed by the Chairperson, when necessary, with the approval of the Faculty Senate body.

Article VI. Meetings

(Revised according to the faculty action 11/6/72)

SECTION 1: Regular Meetings (Open)

Regular meetings of the Faculty Senate shall be held monthly or as needed during the regular academic year) with additional meetings or cancellations of the scheduled meeting at the option of the chairperson. It shall be understood that at all open meetings an invitation to attend is extended to all of the administrative staff, all faculty members, and to a student representative. It shall be further understood that this invitation includes both the right to engage in the discussions of the committee and the right to introduce motions.

It does not include, however, the right to second nor amend motions, nor the right to vote upon them when they are placed before the Faculty Senate for final action.

SECTION 2: Special Meetings (Closed)

A special closed meeting of the Faculty Senate may be called at a designated time by the officers of the Faculty Senate or by a petition signed by one-third of the total membership of the Faculty Senate, or by a petition of ten percent of the total membership of the faculty.

Article VII. Transaction of Business

SECTION 1: Initiation of Action

The Faculty Senate shall receive written suggestions for agenda items from any member of the faculty or from the administration. In the case of delicate matters, at the discretion of the Faculty Senate, the referral items can be received by oral communication at a meeting.

Any member of the Faculty Senate may initiate debate.

Where appropriate, the agenda item shall be referred to a committee for study.

SECTION 2: Nature of Sessions

A quorum for the transaction of business shall be privileged to call members of the college community as advisors when information concerning a matter under consideration is required.

The minutes shall be as complete as the nature of the problem requires.

SECTION 3: Transmittal of Recommendations

The Chairperson shall direct the Secretary to transmit to the appropriate individual or body a written statement of actions and recommendations of the Faculty Senate when approved at a regularly constituted meeting.

Article VIII. Amendments

SECTION 1: Proposed Amendments

Proposed amendments shall be submitted in writing to the Chairperson of the Faculty Senate who shall submit them to the faculty for action.

SECTION 2: Notification of Amendments

The text of the proposed amendments must be circulated among the members of the faculty at least one week prior to action by the faculty.

SECTION 3: Ratification of Amendments

Ratification of amendments shall require a simple majority vote of all members of the faculty.

SECTION 4: Submission of Amendments

In keeping with Article 2, Section 2, all amendments will be submitted to the administration for review and appropriate action.

APPENDIX E

MONTANA TECH OF THE UNIVERSITY OF MONTANA

Request to Participate in Consulting Activities

Permission is requested to participate in consulting activities.

Name of client or sponsor: _____

Time involved (include dates): _____

Arrangements for coverage of classes missed (if any); attach assignments, etc:

Nature of consulting activities in relation to your function at the College: _____

Other current consulting commitments: _____

Consulting time (hours) used to date: _____

Will Montana Tech office, lab space, computer equipment, or any other equipment be used?

_____ If so, explain _____

Approximate cost for rental of Tech space and equipment: \$ _____

Approval of V.C. Administration and Finance for facilities use: _____

Conflict of interest: A conflict of interest is a conflict between public duty and private interest, as defined by the Montana Legislature in section 2-2-101, MCA, 1978. I have read the statement on conflict of interest on the next page. This commitment will not interfere with teaching or other duties for which I am employed. To the best of my knowledge, the rate of personal compensation is competitive with other, similar privately employed consultants.

Applicant's Name (please print): _____

Applicant's Signature: _____ Date: _____

Signatures of Approval:

Department chair/Supervisor: _____ Date: _____

V.C. for Academic Affairs: _____ Date: _____

Chancellor: _____ Date: _____

THE TOTAL DAYS OF CONSULTING SHALL NOT EXCEED 40 DAYS IN ANY ONE ACADEMIC YEAR.

(See the next page of this form for faculty consulting policy statement.)

CONFLICT OF INTEREST

1. No faculty member shall accept additional compensation for the same services that are part of his/her assigned college duties.
2. Consulting faculty clients must realize the college is in no way a party to the consulting contract or will the college be liable or responsible for the performance of the faculty consultant. All advertisements and correspondence will be made without the college name unless by consent of the President of the school.
3. College personnel, facilities, or equipment shall not be used in connection with consulting activities unless the arrangement for reimbursement to the institution is made in advance and fully documented.
4. Faculty consultants are not allowed to use or distribute information from unpublished college funded research.
5. No faculty consultant is allowed to assist a client in obtaining a contract, claim, license, or economic benefit from the college.
6. A faculty consultant may act in a supervisory relationship with the same student or staff member within the college and in an external organization, but the work cannot be done during the normal work day, week, or month of his/her contract period.

FACULTY CONSULTING POLICY STATEMENT

In compliance with the Board of Regents of Higher Education of the Montana University System, Policy 401.1, the following regulations govern consulting activities carried on by faculty.

Faculty may engage in a limited amount of private consulting (defined as any additional activity beyond duties assigned by the Institution, professional in nature and based in the appropriate discipline for which the faculty member receives additional personal compensation during the academic or contract year) provided it does not interfere with the performance of regular institutional duties.

Permission for such private consulting will normally be granted only after all academic responsibilities, including instructional and research activities, are fulfilled, and shall be obtained from the appropriate Department Head, Dean, Vice Chancellor for Academic Affairs, and the Chancellor.

In order to provide maximum flexibility of the faculty in their performance of consulting assignments, the amount of time per week need not be specified. However, the total days of consulting shall not exceed 40 days in any one academic year. Permission to engage in consulting engagements totaling more than 40 days in any academic year shall be considered on their own merit and may be approved on an individual basis by the appropriate Department Head, Dean, Vice Chancellor for Academic Affairs, and the Chancellor.