

**ITEM 119-101-R0503**

**SUMMARY OF TENTATIVE AGREEMENT  
BETWEEN  
THE MONTANA UNIVERSITY SYSTEM  
AND  
MONTANA STATE UNIVERSITY-BILLINGS FACULTY ASSOCIATION**

Modify the June 1, 2003 – June 30, 2005 collective bargaining agreement as follows:

1. 9.634 PROBATIONARY TENURE-TRACK FACULTY

Change the second to the last paragraph to read: Abbreviated probationary reviews will normally occur in the years when there is not an extended probationary review. In this review, the faculty member will meet with the Unit Chair, the Chair of the Unit Rank and Tenure Committee, and the Dean to review his or her progress toward meeting the outcomes as determined by the goals and objectives contained in the Position Description. ~~At this time, if~~ the faculty member, the Unit Chair or the Dean believe it is in the best interest of either the University or the individual faculty member to conduct an extended evaluation-, an extended evaluation can be requested within one working day from the time the review is held. The extended evaluation will be conducted in accordance with the process outlined above. Otherwise, the Dean shall write a brief progress report for the faculty member. Copies shall be distributed to the faculty member, the Department Chair, the Chair of the Unit Rank and Tenure Committee, the Provost and the Chancellor. The Provost will publish deadlines for abbreviated reviews such that if an extended review is called for it can take place according to the extended review calendar.

2. 9.700 POST TENURE REVIEW

9.710 PROCESS

Change to read:

G.

(8) the plan of improvement shall be approved and signed by the faculty member, the Chair of the Department Rank and Tenure Committee, the Department Chair, and the Dean. If the faculty member does not agree with the plan of improvement the matter shall be resolved in accordance with Section 9.625. Refusal of the faculty member to submit supporting documentation if requested by the DRTC, the Dean, or the URTC, ~~to participate in developing the Position Description or the plan of improvement, to agree with the plan of improvement,~~ or failure to make the needed improvements shall result in a recommendation by the DRTC, the Dean, or the URTC through the Provost to the Chancellor of the University for disciplinary sanctions ~~or imposition of a salary freeze.~~ If a faculty member refuses to participate in developing the Position Description or the plan of

improvement or in the process to remediate performance outlined herein, the Chancellor may initiate termination proceedings by referring the matter to the Committee on Service.

- J. If a faculty member fails to make satisfactory progress in addressing performance deficiencies as determined by the DRTC and the Dean, or if the DRTC and Dean do not agree, by the URTC, within the timeframe specified in the plan of improvement, the Chancellor may initiate termination proceedings by referring the matter to the Committee on Service. If a salary freeze has been imposed for three (3) years, the Chancellor of the University shall initiate termination proceedings as provided for in Sections 15.130-133. Termination proceedings may also be initiated by the Chancellor as specified in Sections 15.130-133. If a faculty member's post tenure review results in an unsatisfactory performance assessment, the entire evaluation proceedings shall become part of the faculty member's official personnel file.

3. 10.1250 FACULTY DUTIES

Add the following:

(1) To meet faithfully all assigned classes or to make alternative arrangements for the class when absence is unavoidable. Such arrangements shall be reported to the Department Chair. Faculty are also encouraged to attend commencement activities.

4. 15.000 DISCIPLINARY ACTIONS AND RETRENCHMENT

15.100 DISCIPLINARY ACTIONS

15.110 SANCTIONS

Change to read: Any faculty member ~~on a probationary, continuous tenure or special appointment~~ may be subject to disciplinary sanctions for failure to carry out the responsibilities of a faculty member as defined in Section 10.100-120 (Professional Responsibilities). Disciplinary sanctions shall include warning letters, formal reprimands, or salary freezes. Any salary freeze shall be determined as a result of the process outlined in Section 9.700 (Post Tenure Review). Salary may be withheld when an employee is absent without authorization or justification for a period in excess of five (5) regular work days, pending an investigation of the circumstances of the absence.