

Date: September 4, 2024

To: Melinda Smith
Chair, Faculty Council

From: Bharad Kannan
Chair, Committee on Responsibilities and Standing of Academic Faculty
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Vice Chair, Committee on Responsibilities and Standing of Academic Faculty

Subject: **Faculty Manual Section E. 2.1.6 Transitional Appointments**

The Committee on Responsibilities and Standing of Academic Faculty submits the following:

MOVED, THAT SECTION E.2.1.6 OF THE ACADEMIC FACULTY AND ADMINISTRATIVE PROFESSIONAL MANUAL BE REVISED AS FOLLOWS:

E.2.1.6 Transitional Appointments *(last revised May 3, 2018)*

The University provides the opportunity for transitional appointment to its tenured faculty members who have retired and terminated employment in consideration of a subsequent reappointment on a part-time tenured basis for a limited period of time. The transitional appointment requires that the faculty member participate in the teaching, advising, service, and/or research activities of the department, subject to the part-time provisions of their appointment. Administrators who also hold a tenured faculty appointment are eligible to request a transitional appointment within the context of their faculty roles. Administrative professionals and non-tenured faculty members are not eligible for transitional appointments due to the legal conflict between the statutory “at will” status of such appointments and the appointment term guarantees embodied in a transitional appointment.

Faculty members covered under the federal retirement system are not eligible for transitional appointment due to prohibitive provisions of that retirement system. However, post-retirement employment in a position other than the one requiring a federal appointment is not prohibited. Interested faculty members and/or departments should contact the Director of Human Resource Services for further information.

An application for emeritus/emerita/emerit status must be made at the time of retirement, not at the end of the transitional appointment. See Section E.3.1 for more details.

Conditions regarding transitional appointments are as follows:

a. Only tenured faculty members on full-time or part-time tenured appointments who are currently eligible for retirement under the University’s definition of retirement (see “Definition of Retirement” under “Benefits” at www.hr.colostate.edu) have the opportunity of requesting transitional appointments. Note that the University’s definition of

retirement may differ from those of the retirement plans. For more information, or to confirm eligibility for retirement, contact the University Benefits Office.

b. Ordinarily, a request for a transitional appointment should be submitted in writing to the department head one (1) full academic year before the requested commencement of the transitional appointment. A time period of less than one (1) year may be accepted in those cases where such appointments with lesser notice are considered to be in the interest of the University. Such an exception requires the approval of the department head, the dean, and the Provost. A transitional appointment shall be evaluated on the basis of both the needs of the department and college and the desires of the faculty member.

c. A transitional appointment is for a specified term of at least one (1) year and not more than four (4) years, and it concludes with the termination of this part-time tenured appointment. However, this does not preclude subsequent full-time or part-time employment in a non-tenured position subject to the needs and resources of the department and the interests and desires of the faculty member. During the transitional period, a transitional appointment may not be modified to a tenured or tenure-track appointment. A faculty member may elect to terminate the part-time transitional appointment prior to the end of the specified term.

d. A transitional appointment shall begin no earlier than the first business day after the effective date of termination of employment as a tenured faculty member.

e. A faculty member shall be tenured on a part-time basis as a condition of the transitional appointment.

f. Faculty with transitional appointments have full voting rights at departmental and college faculty meetings and are eligible to serve on departmental and college committees.

g. Any uncompensated leave balances at the time of retirement shall be reinstated and available for use during the transitional appointment. However, at the end of the transitional appointment, there shall be no compensation for unused leave balances.

h. The salary and workload for a transitional appointment shall normally be fifty (50) percent of what they were at the time of retirement. However, when it is to the benefit of both the University and the faculty member, variations from this fifty (50) percent standard, including brief periods of full-time employment, may be proposed by the department head and the dean for review and approval by the Provost.

i. The percentage of salary and the percentage of effort during the transitional appointment are subject to negotiation between the department and the faculty member and shall be spelled out in the transitional appointment agreement. Such changes in salary and/or effort shall not affect the percentage level of the appointment (e.g., part-time versus full-time) specified in the transitional appointment agreement. The terms

under which the appointment is undertaken or subsequently modified shall be negotiated to be mutually beneficial to both the faculty member and the University, and the terms of the agreement shall be specified in writing, subject to the review and approval of the dean and the Provost. Final approval authority resides with the President.

j. A faculty member on a transitional appointment who is a PERA annuitant may be subject to that retirement system's annuity penalty for "post retirement" work for PERA affiliated employers, including the University, in excess of one hundred and ten (110) days in any calendar year or for work during the first (1st) month of retirement. A faculty member who is receiving a PERA annuity should check with PERA directly to determine what effects, if any, a transitional appointment may have on their annuity amounts.

k. A faculty member on a transitional appointment participates in the University's Defined Contribution Plan for Retirement ("DCP") and is eligible for the same benefits as a faculty member with a tenured appointment within the DCP. Leave policies, as described in Section F of the Manual, shall be in effect, except that a faculty member on a transitional appointment is not eligible for a sabbatical leave nor for payment for unused sick leave and/or annual leave at the conclusion of the transitional appointment.

l. A faculty member on a transitional appointment is considered for any pay and benefit increases on the same basis as a faculty member holding a tenured appointment, proportionate to the extent of the appointment.

m. Since a faculty member on a transitional appointment has retired from the university, they are not eligible for promotion.

Rationale:

The proposed changes make it clear that a faculty member on a transitional appointment has retired from the university and is being given a new appointment. There is no change in policy with these revisions.