



**PROPOSED RESOLUTION  
APPROVING REVISIONS TO UNIVERSITY POLICY 60.5.10  
TERM APPOINTMENTS**

**WHEREAS**, on November 10, 1961, the Board of Governors of Rutgers, The State University of New Jersey approved the policy on "Term Appointments" (formerly Book 3.3.14) and last approved modifications to the policy on June 9, 2000; and

**WHEREAS**, the policy has been renumbered as Policy Section 60.5.10 in the University Policy Library; and

**WHEREAS**, the original intent of the four-year appointment limit was to protect the university from presumption of continued indefinite employment and claims of *de facto* tenure as well as to preserve the preponderance of tenured faculty appointments over term appointments; and

**WHEREAS**, the courts have ruled that under the University's regulations only the Board of Governors can confer tenure and that claims of *de facto* tenure are without legal merit, *Kovats v. Rutgers, The State University*, NO. CIV. 82-2000 (D.N.J. April 4, 1990), *affirmed*, 919 F.2d 731 (3d Cir. 1990) (TABLE NO. 90-5458); and

**WHEREAS**, the continuing increase in reliance on non-tenured faculty nationally has engendered an acknowledgement of the need to more fully integrate non-tenured instructional staff into the life of the university by providing more stable employment situations; and

**WHEREAS**, recommendations made by the Senate Faculty Affairs and Personnel Committee have been adopted by the University Senate, and subsequently approved by the Executive Vice President and the President, proposed that the present limits on term appointments be eliminated; and

**WHEREAS**, Policy Section 60.5.10 shall be amended to eliminate the language describing instructorships as temporary positions limited to three successive reappointments;

**NOW, THEREFORE, BE IT RESOLVED** that upon the recommendation of the Committee on Educational Planning and Policy on January 25, 2007, the Board of Governors approve the attached Policy Section 60.5.10 Term Appointments that eliminates the limit on term appointments.

Attachment

Board of Governors  
Rutgers, The State University  
of New Jersey  
February 9, 2007