

3344-11-03 Standards and procedure for faculty appointments, continuation, promotion and tenure (non-bargaining unit members only).

Recommendations for appointments and promotion shall be made to the president and thence to the board of trustees pursuant to the procedures set forth in paragraphs (D)(1) to (D)(2) of this rule and shall be accompanied by the academic and personal qualifications of nominees, as stipulated in paragraphs (A)(1) to (A)(6) of this rule, including relevant biographical data, evidence of academic degrees and honors, a statement of publications and other professional achievements, and letters or memoranda evidencing recommendations from at least three responsible academic or professional sources.

(A) Qualifications for academic rank.

Appointment to the faculty shall be on the basis of merit and without regard to race, color, religion, sex, national or ethnic origin, age, handicap or disability, sexual orientation, or special disabled or Vietnam-era veteran status. In addition to requirements of formal education, the relevant standards are teaching ability, creative achievement, professional service, and professional ethics and academic responsibility.

(1) Standards of professional merit.

- (a) Teaching. The highest standards are comprehensive knowledge of the field of study, thorough preparation, intense interest in students as well as sensitivity to student interest, open-mindedness, independence and integrity, and above all, intellectual enthusiasm that is transmitted to students.
- (b) Creative achievement. The standard of scholarship requires a working commitment to inquiry and research and to creative achievement. The university obligation for the generation of new knowledge and practices imposes a responsibility for creativity, whether in inquiry and investigation, writing, design and production, or in the performing and fine arts. In the best of scholars and the best of

teachers, creative inquiry is joined with effective classroom teaching.

- (c) Professional service. A university faculty member is “a citizen, a member of a learned profession, and an officer of an educational institution,” see rule 3344-11-13 of the Administrative Code. After a period of personal growth in which the faculty member is encouraged to develop abilities as a teacher and creative scholar, a faculty member may properly be expected to assume increased responsibility, in keeping with the faculty member’s professional interest, for the government of the university, the standards of the faculty member’s discipline, and the welfare of the civic community.
 - (d) Professional ethics and academic responsibility. Commitment to acceptable professional ethics and academic responsibility shall be a relevant consideration in appointments and promotion. Rule 3344-11-14 of the Administrative Code provides that a statement may be used as a standard to the extent that it is not in conflict with university policies.
- (2) The evaluation of faculty members shall be based upon the standards of professional merit and the standards of academic rank set forth in paragraphs (A)(1) and (A)(3) to (A)(8) of this rule. The chairpersons shall annually attempt to reach agreement with each faculty member concerning goals based on these standards. If a goals statement is developed, it will serve at least in part as the basis for evaluation of the faculty member for promotion and/or tenure. Any agreement on goals between the chairperson and a faculty member shall be communicated in writing promptly to the faculty member and to the members of the personnel action committee responsible for the evaluation of the faculty member for promotion or tenure as well as to the college dean.

- (3) Possession of an earned doctorate in the discipline or a cognate field of study is required for all appointments above the rank of instructor except as specified, herein.
 - (a) When the doctorate is not the recognized standard of attainment in a discipline or field of study, the university faculty affairs committee, upon petition from the appropriate chair and/or dean may determine that a field is atypical. In fields in which the master's degree is the terminal degree, appointment to the rank of assistant professor shall follow a period of several years of professional experience in the field.
 - (b) In rare cases, when there is a shortage of appropriate doctoral candidates in a given field, evidence may be submitted by the dean of the college to the university faculty affairs committee requesting a temporary exception for the discipline or field of study. If the university faculty affairs committee is convinced of the need, a field may be exempted for a period not to exceed three years. At the end of the specified period, the dean may request a renewal of the exception for a further limited period.
 - (c) An exception to the requirement for the earned doctorate may be made in cases of outstanding intellectual leadership in the field.
 - (d) An exception to the requirement for the earned doctorate may be made in cases where there is extensive publication in refereed journals or of scholarly books that are deemed to be equivalent to an earned doctorate.
 - (e) With respect to all such appointments made in the absence of an earned doctorate, at the time of initial appointment a statement establishing specific criteria to be applied in promotion and tenure

decisions shall be agreed to in writing by the appointee, the department chair, and the dean.

- (4) In addition to the requirements of paragraph (A)(3) of this rule, the following are the minimum standards for appointment at each faculty rank:
- (a) Instructor. An instructor is appointed principally upon evidence that the instructor holds a master's degree or its equivalent, and is well-advanced upon doctoral or comparable study, if such is required in their discipline, exhibits good promise as a teacher and original scholar, possesses the qualities for professional development, and a willingness to participate in university, professional and/or community service.
 - (b) Assistant professor. Appointment or promotion to the rank of assistant professor shall be based on evidence of interest in and potential for effective teaching, upon evidence of the ability to conduct valuable research, and a willingness to participate in university, professional and/or community service.
 - (c) Associate professor. Appointment or promotion to the rank of associate professor is based on evidence that the candidate is a fully competent teacher. In addition, the candidate shall also demonstrate significant scholarship beyond publication of material contained in their dissertation, or outstanding intellectual leadership beyond the university community, or exceptional achievement as a teacher. In addition, the candidate shall demonstrate documented university, professional and/or community service. Only in rare cases may promotion to associate professor occur before the beginning of the fourth year in rank as assistant professor.
 - (d) Professor. Appointment or promotion to the rank of professor is based on evidence of sustained

excellence in teaching. In addition, the candidate shall have an outstanding record as a scholar or shall demonstrate sustained outstanding intellectual leadership as a practitioner in their field. Evidence of reputation in the discipline or a related discipline beyond the local community is required. In addition, the candidate shall demonstrate documented university, professional and/or community service. Only in rare cases may promotion to professor occur before the beginning of the fourth year in rank as associate professor. In rare instances, promotion to professor may be based in significant part upon sustained and generally acclaimed leadership in the realization of the mission of the university.

- (5) Outstanding intellectual leadership means the attainment of a position of prominence in the field, demonstrated by activities (other than simply holding positions in committees and organizations) evidencing that the candidate has played a major role in developing in the field a policy or program that can be documented by papers, reports, or other tangible evidence appropriate to the discipline. Sustained outstanding leadership means that a candidate shall have attained a significantly higher level of prominence in the field than that required for promotion to the rank of associate professor and shall have maintained such a position of prominence for a significantly longer period of time.
- (6) Sustained excellence as a teacher means outstanding classroom performance plus a significant contribution to good teaching evidenced by papers, reports, or other materials that can be evaluated.
- (7) An outstanding record as a scholar for the purpose of this chapter must derive from assessable scholarship beyond that presented for promotion to the rank of associate professor.

(8) Participation in and contribution to service activities for the purpose of this chapter means that the faculty member has assumed increasing responsibilities for the government of the university, the standards of the faculty member's discipline, and the welfare of the civic community.

(B) Procedures for appointment to the faculty.

(1) The following procedures shall be followed for appointment to the faculty:

(a) The appropriate peer review committee shall assist the chairperson* in seeking well-qualified candidates for the faculty. The chairperson shall forward the name of the recommended candidate, including a recommended salary, rank, and tenure status or tenure decision date to the dean of the college. Before forwarding the recommendation, the chairperson shall submit a recommendation of salary range, rank, and tenure status to the peer review committee. This committee will either support the chairperson's recommendation or submit a recommendation of its own to the dean. Recommendations shall include statements of evidence in support of, or critical of, the candidate's qualifications. If the peer review committee and the chairperson disagree on an appointment recommendation, the dean shall submit the matter along with their own recommendation to a vote of the entire faculty grouping concerned (paragraph (I) of rule 3344-11-02 of the Administrative Code.) If the faculty grouping supports the dean, this recommendation supplants that of the peer review committee. If the faculty grouping supports the peer review committee, the provost shall refer the matter to the university personnel committee (see paragraph (O) of rule 3344-13-03 of the

* In this and any subsequent paragraph, the dean of a college not organized into departments shall perform the functions delegated in these policies to the chairperson.

Administrative Code) or university peer review committee. In cases where a chair is selected from outside the university, the chair's appointment to the departmental faculty shall follow the above delineated procedures, however, the chairperson of the selection committee (search advisory committee) (see paragraph (A)(4) of rule 3344-11-07 of the Administrative Code) shall perform the functions delegated to the chair.

- (b) Where a majority of the faculty committee does not support an appointment, on grounds other than salary considerations, and the committee is supported by a majority of the faculty grouping, such an appointment shall be made only in rare instances and for compelling reasons that shall be stated in detail by the provost or dean to the faculty grouping. The candidate should be informed of the negative recommendation of the majority of the faculty grouping at or before the time the candidate is formally offered an appointment; however, if after discussion with the chair the faculty grouping deems that forwarding of such information to the candidate is unwise, the candidate shall not be informed and the entire faculty grouping shall be bound by this decision.
 - (c) The name of each candidate proposed shall be forwarded to the president, accompanied by statements from the peer review committee or personnel action committee, the chair, (if the college is organized into departments), the dean, and the provost.
 - (d) From such candidates, the president shall recommend to the board of trustees those acceptable for appointment.
- (2) Joint appointments to two or more departments, colleges, or academic units shall be made in accordance with the

procedures for appointment to each such department, college, or academic unit.

- (3) Members of the faculty may be selected for and removed from the faculty of the college of graduate studies according to the procedures established in the bylaws of the Cleveland state university faculty organization (see rule 3344-13-01 of the Administrative Code) and the bylaws of the college of graduate studies (see rule 3344-14-01 of the Administrative Code.) Such selections shall not be considered to be joint appointments.

(C) Conditions of appointment.

Appointments to the faculty shall be either with tenure or subject to a probationary period, both as provided in these policies (see paragraph (D)(1) of this rule.) Contracts accompanying appointment shall stipulate the following conditions: rank, tenure status, salary, pay periods, and if the appointment is without tenure, the length of the probationary period specifying the latest date by which a tenure decision will be made. Absence of a statement with respect to tenure status shall not be construed as the granting of tenure. Subject to the limitations, hereinafter, set forth, a contract may specify that successive contracts shall be offered to the faculty member.

- (1) Instructor. An instructor shall be offered a contract for one academic year, subject to dismissal pursuant to paragraph (D)(1) of this rule and paragraphs (A) to (D) of rule 3344-11-06 of the Administrative Code, and may be offered not more than three subsequent contracts in the rank of instructor. An offer of a contract for a fourth year as an instructor shall be accompanied by notice of termination (see paragraph (E)(6) of this rule.)
- (2) Assistant professor. An assistant professor shall be offered a contract for one academic year, subject to dismissal, pursuant to paragraph (D)(1) of this rule and paragraphs (A) to (D) of rule 3344-11-06 of the Administrative Code, and may be offered subsequent annual contracts. Except as stipulated in paragraph (D)(1) of this rule, however, the

cumulative years of appointment in Cleveland state university in the ranks of instructor and assistant professor shall not exceed seven. A contract for a seventh year, without tenure, shall be accompanied by a notice of termination.

- (3) Associate professor and professor. An appointment to the rank of associate professor or professor may be with tenure or may be subject to a probationary period.
 - (a) If the appointment is with tenure, an associate professor or professor shall be offered a contract for one academic year and shall be offered in subsequent one-year contracts, subject to dismissal, pursuant to paragraph (D)(1) of this rule and paragraphs (A) to (D) of rule 3344-11-06 of the Administrative Code.
 - (b) If the appointment is without tenure, the associate professor or professor without prior full-time college teaching experience (see paragraph (D)(1) of this rule), shall be offered a contract for one academic year, and may be offered not more than four subsequent one-year contracts, unless tenure is granted, subject to dismissal, pursuant to paragraph (D)(1) of this rule and paragraphs (A) to (D) of rule 3344-11-06 of the Administrative Code.
 - (c) If the appointment is without tenure, the associate professor or professor having had one or more years of prior full-time college teaching experience (see paragraph (D)(1) of this rule) shall be offered a contract for one academic year and may be offered not more than three subsequent one-year contracts, unless tenure is granted, subject to dismissal pursuant to paragraph (D)(1) of this rule and paragraphs (A) to (D) of rule 3344-11-06 of the Administrative Code. A contract for a fourth year, without tenure, shall be accompanied by notice of termination.

(D) Tenure.

Tenure is the university's most effective guarantee of academic freedom and embraces the reciprocal obligation of the faculty member to maintain the highest standards of the profession. It is awarded, therefore, in recognition of professional competence and not simply as a condition of employment.

(1) Probationary periods and tenure.

Tenure may be granted only to faculty members of the rank of associate professor or professor. Persons who hold concurrent faculty appointments and administrative positions may have tenure only in their faculty capacities. Unless granted at the time of the original appointment in the rank of associate professor or professor, tenure may be granted during a probationary period (see paragraph (E) of rule 3344-11-02 of the Administrative Code), which shall not exceed three years, or, for a person without previous full-time college teaching experience, four years. Faculty members whose original appointment was as instructor or as assistant professor shall have a probationary period (see paragraph (E) of rule 3344-11-02 of the Administrative Code) not exceeding six years. Faculty members whose original appointment was as instructor or as assistant professor shall have a probationary period (see paragraph (E) of rule 3344-11-02 of the Administrative Code) not exceeding six years. The calculation of years of service in fulfillment of this six-year maximum probationary period may be affected by the following:

- (a) A faculty member normally may claim a maximum of two years of prior service if the service includes all of the following characteristics: full-time, tenure-track, in a position requiring research, and service performed post-terminal degree. The absence of any one of these characteristics would not qualify the prior service for credit.
- (b) For faculty hired as pre-terminal degree tenure-track instructors at CSU, all years count toward the

probationary period except that the faculty member may choose not to count up to two years of such service. At the time of moving to the assistant professor rank, the faculty member wishing not to count such service shall so inform the dean (and, if relevant, the department chair/school director) in writing.

- (c) A faculty member whose original appointment was as instructor or assistant professor may submit a request to the department chair and/or dean for an extension of the probationary period due to exigent circumstances that substantially impede progress toward tenure (e.g., serious medical condition of self, family member, registered same-sex domestic partner, or parent; childcare; or eldercare). Following receipt of chair and/or dean's recommendation, the provost, in their sole discretion, may make whatever adjustment to the probationary period, if any, he/she deems appropriate. The faculty member may be requested to provide documentation substantiating the underlying circumstances, necessity and/or the duration of the probationary period extension.
 - (d) If tenure is not granted at the end of the probationary period, notice of termination shall be given in accordance with the schedule of dates set forth in paragraph (E) of this rule.
- (2) Promotion and tenure. Promotion to the rank of associate professor or the promotion of a non-tenured associate professor to the rank of professor must be accompanied by the granting of tenure. Therefore, if separate peer review committees (or personnel action committees) vote upon promotion recommendations and tenure recommendations, the recommendations of both committees are required. If these recommendations are in conflict, the provost shall refer the matter to the university personnel committee or the university peer review committee. The provost shall

also have the prerogative to refer any other dossier to the relevant committee.

- (3) Tenure without promotion. The awarding of tenure to a faculty member already holding the rank of professor or associate professor is based on evidence that the candidate has continued to maintain the standards for academic rank outlined in paragraph (A)(4)(c) or paragraph (A)(4)(d) of this rule as appropriate.

- (E) Continuation or termination of non-tenured appointment.

Subject to the limitations of paragraph (C) of this rule, a faculty member who is subject to a probationary period shall receive successive annual contracts for each year of such probationary period unless: the faculty member's original contract states the contrary, or the university has made the decision to terminate the appointment pursuant to the following procedures and has given timely notification to the faculty member according to the provisions of this rule.

- (1) Recommendations for the termination of a faculty member's services may originate with the peer review committee, the chairperson, or the dean. Whatever the origin, the committee, the chairperson, and the dean shall consider the faculty member's qualifications and make a recommendation to the provost. If the several recommendations are in conflict, the provost shall refer the matter to the university personnel committee (see paragraph (F)(1)(h) of this rule) or university peer review committee. The provost shall also have the prerogative to refer any other dossier to the relevant committee. The provost shall consider all the recommendations and forward them, together with the provost's recommendation, to the president, who makes recommendations to the board of trustees.

- (2) The university complies with the standards for notice of the A.A.U.P.* The initiation of the formal (i.e., written) recommendation of termination should occur at least four weeks before the acceptable A.A.U.P. notification date, and normally it will not occur later than three weeks before that date. A faculty member whose termination is under consideration shall be informed of the contemplated action at least four weeks (or, if the faculty member is in the first year, three weeks) before the initiation of the formal recommendation and shall be given an opportunity to submit materials in their behalf.
- (3) Regular academic year contracts shall be considered to expire on the third day after the spring commencement.
- (4) Recommendations for termination shall be forwarded to the president and shall be accompanied by all relevant documents including statements for and against the recommendations and materials submitted by the affected faculty member.
- (5) If a termination notice is not sent by the appropriate administrative official by the appropriate dates specified in paragraph (E)(2) this rule, the faculty member shall receive

* The A.A.U.P. Standards for Notice as adopted at the fiftieth annual meeting in 1964 are: "Notice of non-reappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

- (1) Not later than March first of the first academic year of service, if the appointment expires at the end of that year, or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
- (2) Not later than December fifteenth of the second academic year of service, if the appointment expires at the end of that year, or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
- (3) At least twelve months before the expiration of an appointment after two or more years in the institution."

one additional annual contract. This contract shall be a terminal contract unless the faculty member is awarded tenure during its term.

- (6) A member of the faculty in the rank of instructor who is not to be promoted to assistant professor at the beginning of their fourth year of full-time regular service shall receive notice by the third day after the spring commencement of their third year that the contract for a fourth year is a terminal contract unless she or he is promoted during that year. Failure to send appropriate timely notice does not obligate the university to grant promotion even though the faculty member is entitled to a fifth year terminal contract according to the provisions of paragraph (E)(5) of this rule.
- (7) A member of the faculty in the rank of assistant professor who is not to be promoted to associate professor with tenure at the beginning of the seventh year of full-time regular service shall receive notice by the third day after the spring commencement of the sixth year that the contract for a seventh year is a terminal contract unless the faculty member is promoted during that year. Failure to send appropriate timely notice does not obligate the university to grant promotion or tenure even though the faculty member is entitled to an eighth year terminal contract according to the provisions of paragraph (E)(5) of this rule.
- (8) Any other faculty member who has not been formally granted tenure by the end of their probationary period shall receive timely notice that the next annual contract is a terminal contract unless she or he is awarded tenure during the forthcoming year. Failure to send appropriate timely notice does not obligate the university to grant tenure even though the faculty member is entitled to an additional terminal contract according to the provisions of paragraph (E)(5) of this rule.
- (9) Any assistant professor in their fourth or fifth year of full-time service shall be prepared to submit a dossier setting forth their qualifications for promotion and tenure. Faculty credited with three years of prior service shall be exempt

from submitting a dossier in their first year, but a fifth-year review of such faculty shall occur in the second year of service to CSU. Dossiers shall be submitted on or before October seventh of the fourth and fifth years to the departmental PRC, in colleges, which have opted for departmental peer review, or to the college PRC in colleges which do not use departmental PRCs. Failure to submit a dossier may result in the issuance of a terminal contract.

- (10) Following review of the dossier (and other materials deemed relevant to the evaluation) by the appropriate PRC (department and/or college) and the chair (if relevant) and the dean, the faculty member shall be advised that the faculty member is making substantial progress toward promotion and tenure; or that the faculty member has a reasonable chance for promotion with additional effort; or that the faculty member is unlikely to be promoted and that a termination recommendation may ensue. Subsequent to the review, the PRC(s), chair/school director, and/or the dean may initiate the process for a recommendation for non-reappointment (paragraph (E) of this rule). Unless an assistant professor is recommended for promotion and tenure or is sent a notice of termination, the advice given to the faculty member is to be deemed a current status report which is subject to revision in subsequent reviews.

- (F) Procedures for promotion in rank and for the award of tenure in the Cleveland Marshall college of law.*

- (1) These procedures shall be followed with respect to promotion in rank and the award of tenure:
 - (a) Every faculty member eligible for promotion and/or the award of tenure shall have the opportunity to be considered for promotion and/or tenure and shall be permitted to submit material supporting their request for promotion and/or tenure.

* Other non-bargaining unit personnel with faculty rank will be governed by the dates and procedures specified in the CSU-AAUP Contract currently in effect.

- (b) In the fall of each year, preferably in the preceding spring term, the appropriate personnel action committee (the full professor PAC, for promotion to the rank of professor or the awarding of tenure to a full professor, or the associate professor PAC, for promotion to the rank of associate professor or the awarding of tenure to an associate professor) shall meet to consider candidates for promotion to the rank or ranks over which it is given jurisdiction or for the award of tenure or both.
- (c) The committee may seek, in addition to the materials submitted by the candidate, other materials it deems relevant to the evaluation.
- (d) The committee shall adopt, by a vote of the majority of the total membership, a statement of all the reasons it relied upon in forming its judgment. A minority statement (or statements) may also be prepared together with notation of the number of committee members supporting the statement(s). A copy of each such statement shall be supplied to the candidate upon that candidate's written request.
- (e) On or before November first, the relevant PAC shall forward the committee's recommendation to the dean. The committee recommendation shall include a numerical record of the committee vote and shall be accompanied by any minority statements. By November first the chair will transmit these documents, along with the chair's recommendation, to the dean for forwarding to the provost. The dean will supply a statement of support or lack of support for the recommendation to the provost on or before November twenty-fifth.
- (f) At the time the dean's recommendation is transmitted to the provost, a written copy of a positive recommendation by the dean that is favorable to the candidate shall be given to the candidate and the personnel action committee, and

candidates who received one or more unfavorable evaluation(s) shall be so informed. Written copies of recommendations by the dean that are unfavorable shall be given to the candidate as soon as possible following upon their written request. The candidate may also request in writing that these evaluations be given to the personnel action committee. A recommendation that, in the opinion of the provost, is not clearly stated to be favorable shall be considered unfavorable.

- (g) If a candidate receives an unfavorable recommendation, she or he may remove himself or herself from further consideration at that time unless constrained by the provisions of paragraph (E)(9) of this rule.
- (h) If the recommendations of the majority of the personnel action committee or the dean are in conflict in a particular case, the provost shall refer the matter to the university personnel committee. Before making its recommendation, the university personnel committee shall solicit comments and supplementary materials pertinent to the conflicting recommendations regarding the candidate. In no case does the university personnel committee have the authority to hold hearings concerning dossiers. It shall forward its recommendations to both the candidate and the provost. Supporting reasons sent to the provost shall be given to the candidate upon their written request. These reasons may be given to the personnel action committee only upon written request of the candidate.
- (i) The provost shall consider all documents and recommendations, giving particular attention to the university personnel committee's recommendation on disputed cases, and forward them together with the provost's recommendation to the president by February fifteenth. In no instance shall the provost recommend persons lacking the support of at least

one of the faculty committees which have considered the case. If the provost declines to support a candidate having uniformly favorable recommendations, the provost shall refer the reasons to the university personnel committee. The university personnel committee shall provide the candidate with these reasons and solicit the candidate's response. The university personnel committee shall then advise the provost concerning the faculty member's candidacy.

- (j) On or before April fifteenth, every candidate shall be notified of the decision with respect to their promotion and/or tenure by appropriate administrative officials.
- (G) Notification, hearing, joint appointments, divided recommendations.
- (1) It is the responsibility of each participant in the promotion/tenure process to consider the qualifications of each candidate and in comparison to appropriate departmental, college, and university standards. The candidate should receive notification as to the positive or negative nature of the recommendations of the departmental peer review committee (or personnel action committee), the chairperson, and/or the dean concomitantly with the forwarding of these recommendations to the appropriate university officer.
 - (2) A candidate who believes that the denial of promotion and/or tenure in their case was: arbitrary, discriminatory, or based on an inadequate consideration of their qualifications; in violation or disregard of the established standards for promotion or tenure; or in violation of their academic freedom, may request a hearing after January fifteenth from the formal hearing committee as provided in the bylaws of the faculty senate. In such hearings the burden of proof rests on the faculty member. The formal hearing committee shall forward its report and recommendations to the provost.

- (3) Special provisions for joint appointments. In cases of joint appointments, the department, college, or academic unit with primary responsibility (see paragraph (G) of rule 3344-11-02 of the Administrative Code), shall, after consultation with the other concerned academic division(s), make the nomination for promotion and/or tenure.
- (4) In the case of disagreements in the recommendations forwarded to the provost by the peer review committee (or the personnel action committee), the department chairperson, a college peer review committee, and/or the college dean, the provost will forward the candidate's dossier together with all recommendations to the university personnel committee or the university peer review committee. It is the committee's function to study the dossier and to recommend a course of action to the provost. The committee's recommendation must be submitted to the provost within the time constraints the provost specifies.

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