

Faculty Personnel Policies 3344-11-01 through 3344-16-14
(unofficial compilation as of 04/11/2022)

3344-11-01 Faculty personnel policies.

- (A) (Approved November 13, 1974; effective February 1, 1975; amended May 24, 1988, September 26, 1997, December 6, 2000, February 21, 2001, October 24, 2001, February 27, 2002, June 25, 2003, April 28, 2004, May 26, 2004, May 20, 2005, September 20, 2007, April 11, 2008, September 12, 2008, October 23, 2008, June 22, 2009, February 16, 2010, June 28, 2011, April 11, 2012, and May 20, 2013).
- (B) The following personnel policies and bylaws apply to members of the bargaining unit only insofar as they deal with areas not covered by the Cleveland state university-American association of university professors (“CSU-AAUP”) bargaining agreement currently in effect. In any case in which there is a conflict between these policies and the collective bargaining agreement, the collective bargaining agreement shall supersede.

3344-11-02 Definitions.

The following are definitions of key words and phrases used in rules 3344-11-01 to 3344-13-04 of Administrative Code:

- (A) “Faculty”

All persons who have been granted full-time appointments by the board of trustees to the rank of professor, clinical professor, associate professor, clinical associate professor, assistant professor, clinical assistant professor, instructor, assistant college lecturer, associate college lecturer, senior college lecturer, research assistant professor, research associate professor, research professor, college of law clinical professor, college of law legal writing professor, professor of practice, associate professor of practice and assistant professor of practice. Faculty are members of a college as defined in paragraph (A) of rule 3344-13-01 of the Administrative Code. For definitional purposes within these rules, a freestanding school is the

equivalent of a college, unless otherwise specified.

(B) “Contract”

The instrument issued annually by the university that specifies rank, tenure status, salary, schedule of salary payment, and any special terms of employment of a faculty member, such as a specific percentage of time assigned to administrative responsibilities. (This is not to be confused with the CSU-AAUP collective bargaining agreement, often colloquially referred to as “The Contract.”)

(C) “Appointment”

The original admission to faculty rank and status at Cleveland state university granted by appropriate action of the board of trustees and the entering into a contract. An appointment continues throughout a faculty member’s continuous service in the university. Neither promotion in rank nor the issuance of subsequent annual contracts constitutes appointment or “reappointment.”

(D) “Tenure”

The status in the university established by formal action by the board of trustees granting the prerogative of a faculty member to employment on a continuing basis subject to dismissal only for the particular causes and after due process specified in this document.

(E) “Probationary period”

The maximum cumulative full-time service that a person eligible for tenure can be required to serve before the time the board of trustees must decide to confer tenure or to terminate the faculty member’s appointment, (see paragraph (D)(1) of rule 3344-11-03 of the Administrative Code.)

(F) “Length of faculty service”

Those years of full-time academic service computed for purposes of tenure and promotion representing the sum of:

- (1) The number of complete academic years (August through May) of full-time academic service, and;

- (2) The whole number (e.g. 0, 1, 2...) obtained by adding together all fractions of academic years served and rounding to the nearest whole number. If the fraction is one-half, the fractions shall be rounded to the nearest lower whole number. Summer teaching shall not be counted in computing years of service, unless the provost and senior vice president for academic affairs (subsequently referred to as the provost) has agreed in writing to substitute a summer semester for an academic year semester of teaching. Leave of absences, paid or unpaid, shall count as years of service if the primary purpose of the leave of absence was scholarly activity other than the completion of the requirements for an degree, unless prior to any such leave of absence, there was a mutual agreement in writing by the faculty member, the faculty member's dean, and the provost excepting the leave from years of service.
- (3) Years of service for purpose of promotion and tenure shall not include any year in which less than fifty per cent of assigned duties, as stipulated by contract, entailed departmental research and instruction.

(G) "Primary responsibility" (in personnel actions)

The contract designation at the time of a faculty member's original admission to faculty rank and status at CSU of the department, school, college, or academic unit as appropriate, which has primary responsibility for the making of recommendations for promotion, granting of tenure, and termination. Such primary responsibility can subsequently be transferred to another department, school, college, or academic unit with written consent of all parties concerned.

(H) "Personnel action"

Any decision or recommendation made by a person or persons with authority or responsibility in procedures relating to faculty appointment, termination or continuance of appointment, promotion, and the granting of tenure.

(I) "Peer review committees"

The mechanism through which faculty participate in personnel actions.

- (1) Committees shall be formed from departmental faculty, the faculty of two or more cognate departments, or the faculty of a college, depending on the size, maturity, and strength of the academic unit involved in a given personnel action. The faculty body from which a committee is formed shall, hereinafter, be referred to as a grouping.
- (2) Rules for the composition of committees.

Departments or schools shall come to an agreement with their dean as to which of three groupings in paragraph (I)(1) of this rule is appropriate for their situation in each type of personnel action. When agreement between the department and the dean is not possible, the decision shall be referred to the college faculty affairs committee.

- (a) The various types of personnel actions may be performed by one or several committees as the grouping shall determine.
- (b) The faculty of each grouping shall determine the means by which the members of the peer review committees shall be chosen. The selection process shall be subject to annual review in April.
- (c) Committees shall consist of at least five members, have a majority of tenured members, and include only faculty at the rank of assistant professor or above. Department chairpersons shall not serve on these committees.
- (d) Each committee shall select a chairperson who will receive and disseminate all information pertinent to committee actions.
- (e) The names of members of the various peer review committees and their chairpersons shall be reported

to the dean of the relevant college and shall be generally available to faculty and administration.

(J) “University personnel committee”

A committee of eight tenured faculty members shall assist the provost (through recommendations) on all personnel action recommendations that are in disagreement. The provost shall also have the discretion to refer any other personnel action to the university personnel committee. This committee shall also represent the faculty in certain matters related to the evaluations of chairpersons and deans. The functions of the committee are prescribed in these policies (see paragraphs (B), (D), (E), and (F) of rule 3344-11-03; see paragraph (D) of rule 3344-11-06; and see paragraphs (A) and (B) of rule 3344-11-07. The bylaws of the faculty senate shall prescribe the procedures for its selection.

(K) “Dismissal”

The action that results in the ending of a tenured appointment or of a probationary appointment before the conclusion of any contracted term of service.

(L) “Termination”

The action that results in the non-reappointment of a faculty member serving under a non-tenured or probationary appointment at the conclusion of any contracted term of service.

(M) “Visiting professorship”

An appointment on a full-time, but temporary, basis in any faculty rank specified upon a contract of one year’s duration, renewable for one additional year for a total of two years, whether consecutive or not. Persons holding such appointments shall not be eligible for tenured status or promotion, nor shall they be entitled to receive successive annual contracts nor any notice that their appointment will not be continued. Persons holding such appointments may seek faculty status through appointment to the professorial ranks set forth in this rule and according to the procedure set forth in paragraph (B) of rule 3344-11-03 of the Administrative Code, if they satisfy the

criteria of such appointment as set forth in paragraph (A) of rule 3444-11-03 of the Administrative Code, hereof.

(N) “Emeritus/Emerita professorship”

The honored status awarded to a retiring faculty member upon recommendation of the faculty of the academic unit (department, college, or other unit as appropriate) and approval by the president and the board of trustees. To be eligible for emeritus status, a faculty member shall have attained the rank of associate professor or professor, associate college lecturer or senior college lecturer, associate professor of practice or professor of practice, clinical associate professor or clinical professor, college of law clinical professor or college of law legal writing professor at Cleveland state university and have served Cleveland state university full-time for at least ten years. Upon such appointment, the retiring associate professor or professor shall be designated associate professor emeritus/emera or professor emeritus/emera. A retiring associate college lecturer or senior college lecturer shall be designated associate college lecturer emeritus/emera or senior college lecturer emeritus/emera. A retiring, associate professor of practice or professor of practice shall be designated associate professor of practice emeritus/emera or professor of practice emeritus/emera. A retiring clinical associate professor or clinical professor shall be designated clinical associate professor emeritus/emera or clinical professor emeritus/emera. A retiring college of law clinical professor or college of law legal writing professor shall be designated college of law clinical professor emeritus/emera or college of law legal writing professor emeritus/emera. The faculty shall be entitled to reasonable email, office, library, mail, clerical, and laboratory facilities and services and bookstore discount privileges, to the extent that the president shall determine that the university resources reasonably allow; the faculty member's name shall be listed in the university bulletins and directory, and the faculty member shall receive any other benefits and privileges that shall be specified by the president.

(O) “Adjunct professorship”

The appointment on a part-time, semester by semester basis in any faculty rank of a person who brings special skills, training,

experience, or expertise to some aspect of the academic program of the university. Service to the university shall not be the faculty member's principal vocation.

(P) "Equal opportunity hearing panel"

A panel of twenty-one members of the faculty, including deans, associate deans, assistant deans, and chairpersons, that shall determine complaints of discrimination on the basis of race, religion, color, national or ethnic origin, sex, age, handicap or disability, sexual orientation, or special disabled or Vietnam-era veteran status by members of the faculty. The functions and the manner of selecting the panel are prescribed in these policies (see rule 3344-11-17 of the Administrative Code) and in the bylaws of the faculty senate (see paragraph (K)(6) of rule 3344-13-02 of the Administrative Code.)

(Q) "Department chairperson/director of school"

The department chairperson is the chief administrative officer of an academic department. All references to department chairpersons that appear in these personnel policies shall be understood to apply also to directors of schools.

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

* 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.

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 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.

3344-11-04 Conflict of interest.

While faculty are expected to act according to the highest standards of professional ethics, conflicts of interest may arise to varying degrees in numerous situations. Traditional safeguards and the good conscience of individual faculty members may be relied upon to maintain high ethical standards, yet in the areas of faculty activity described in this rule, the overall perception of total fairness is deemed so important that specific safeguards are given:

(A) **Nepotism.**

No person shall initiate or participate in any decision involving a direct benefit (e.g., initial appointment, continuance of non-tenured appointment, promotion, tenure, salary increment, leave of absence) to a member of their immediate family (here defined as spouse, parent, child, or sibling). Where such a relationship exists, the provost shall approve a procedure that shall eliminate such related person from any role in direct benefit decisions affecting the other related person. The president shall replace the provost in the

function described in this rule if the provost is involved in a direct benefit decision affecting a member of the provost's immediate family.

(B) Other relationships.

Conflicts of interest may arise in other situations which do not involve a relationship involving an immediate family member identified in paragraph (A) of this rule. Such situations could include, but are not limited to members of the extended family, an ex-spouse, or a current (or ex-) partner, or a current (or ex-) fiancé(e). Other examples could include a financial relationship in which financial concerns are present. Individuals in these situations should inform the provost and the provost shall make the final determination of the individual's ability to participate in the decision-making process. The president shall replace the provost in the function described in this rule if the provost is the involved person.

(C) Faculty awards and internal research grants.

No faculty member seeking, or having been nominated for, internal research grants or any other award in recognition of excellence or outstanding performance shall participate in any deliberations or decisions made by the evaluating committee during the academic year in question. Agreement to serve on such an evaluating committee shall be construed as agreement not to receive direct benefits from decisions made by the committee.

(D) Personnel actions.

(1) No faculty member seeking, or having been nominated for, tenure and/or promotion shall participate in any deliberations or decisions made by the same peer review committee (or personnel action committee), college peer review committee, university peer review committee or university personnel committee during the academic year in question. Agreement to serve on such a committee shall be construed as agreement not to receive direct benefit from decisions made by the committee.

- (2) No faculty member shall participate in the discussion and/or vote in a given personnel action both at the university personnel committee (UPC) level or university peer review committee (UPRC) level and at either the college or departmental peer review committee (PRC) level. If the entire faculty of a college constitutes its PRC, the conflict of interest provision would be invoked only when a UPC member or a UPRC member has been delegated a substantial role other than as a voting member of the body in the evaluation process at an earlier stage. The faculty member shall choose at which level to participate.

- (E) Dual status as a student and faculty member.

No faculty member at Cleveland state university may enroll in any Cleveland state university course in which credit will be awarded toward the degree program in which that faculty member serves. No student at Cleveland state university may serve as instructor of record in any Cleveland state university course in the degree program in which that student is enrolled.

- (F) Dual status as a faculty member and administrator.

Faculty members who also hold administrative positions including president, provost, vice provost, dean, associate dean, assistant dean, department chair, school director or any other administrative position that automatically takes them out of the bargaining unit shall not participate in departmental-level votes.

3344-11-05 Academic freedom.

Cleveland state university subscribes to the 1940 “Statement of Principles on Academic Freedom and Tenure” of the American association of university professors and the association of American colleges as stated in rule 3344-11-13 of the Administrative Code.

- (A) The right to demonstrate and protest on university property.

It is recognized that free speech is essential in a democratic society. As individuals or as groups, the faculty are permitted to demonstrate

and protest on university property in opposition to university, city, state, national, or international policy provided they do not violate any applicable local, state or federal law, or, in the case of members of the bargaining unit, provisions of the agreement between CSU and the CSU-AAUP chapter, and no acts are performed that cause damage to property (personal or university); cause physical injury to any individual; prevent any student from attending class, entering or leaving any university facility, or attending any special program on university property; prevent administrative officers, faculty, students, employees, or invited guests of the university from performing duties they are authorized to perform; block the normal business of the university, particularly classroom or laboratory instruction; and block pedestrian or vehicular traffic.

- (B) Faculty members are subject to the limitations imputed by law in the exercise of their rights of freedom of speech, protest, and demonstration in support of or opposition to public or university policy. Some of these limitations are set forth in rule 3344-11-16 of the Administrative Code, appended, hereto.
- (C) Institutional due process (revised June 28, 2011).

As a principle, the university will operate in such a way that faculty enjoy freedom from arbitrary or discriminatory treatment. Each dean or faculty body, as appropriate, shall establish reasonable criteria and fair procedures pursuant to which decisions significantly affecting faculty, including the assignment of courses, the scheduling of classes, the participation in summer semester instructional programs, and the award of promotional and annual salary increments shall be made.

- (D) Academic freedom encompasses the freedom of any faculty member and other members of the full time teaching staff to address any matter of institutional policy or action, whether or not that faculty member is or can be a member of any agency of institutional governance. All faculty and all such members of the teaching staff have the freedom to address both the Cleveland state university and broader communities with regard to any social, political, economic, or other interest. Exercise of these freedoms shall not be subject to institutional discipline or restraint, save for statements or actions that constitute disciplinary incompetence, “good cause” for

dismissal, violations of professional ethics, and/or that are disruptive. Academic responsibility includes the good faith performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that, when one is speaking as a citizen on matters of public interest, one is not speaking for the institution. Nothing, herein, diminishes the university's existing powers of selecting, retaining and removing from an administrative position a faculty member who jointly holds that administrative position; in the case of joint faculty-administrative appointments, only the person's faculty status is protected by this rule.

3344-11-06 Sanction and dismissal procedures (non-bargaining unit members only).

(A) Sanction procedures.

If the chief academic officer of the university believes that the conduct of a faculty member, although not constituting adequate cause for dismissal, is sufficient to justify sanction short of dismissal, such as suspension of service for a stated period or a formal letter of reprimand in a permanent file, then the chief academic officer may initiate a procedure to impose such a sanction.

- (1) Sanction of a faculty member for just cause shall occur only because of:
 - (a) Demonstrated incompetence or dishonesty in teaching or scholarship; or
 - (b) Manifest neglect of duty; or
 - (c) Personal conduct that substantially impairs the individual's fulfillment of their institutional responsibilities (see rule 3344-11-14 of the Administrative Code), including but not limited to drug or alcohol abuse; trafficking in illegal drugs; and sexual, ethnic, racial, or religious harassment.
- (2) The procedure is to be initiated by the chief academic

officer. The faculty member shall receive a written statement of cause and efforts shall be made toward informal resolution of the problem. Should informal efforts be unsuccessful, or should a sanction be sought, the university faculty affairs committee shall be consulted. The faculty member shall be provided an opportunity within ten days for an informal hearing before the university faculty affairs committee (see paragraph (G)(2)(g) of rule 3344-13-03 of the Administrative Code), following which the appropriateness of a sanction shall be determined by the chief academic officer with the advice and consent of the university faculty affairs committee.

- (3) At any time prior to the final resolution of the matter, the chief academic officer may temporarily relieve an accused faculty member of all academic responsibilities if the chief academic officer deems this action to be necessary in an emergency to prevent immediate harm to the faculty member or others at the university. However, the chief academic officer shall communicate this decision in writing to the university faculty affairs committee as soon as possible. The accused faculty member shall suffer no loss of pay or benefits during such a period of temporary suspension.
- (4) Sanctions involving suspensions, with or without pay, or a possible reduction of salary in succeeding academic contracts are subject to the same formal process as prescribed for cases of dismissal of a faculty member (see paragraph (C) of rule 3344-11-05 of the Administrative Code).

(B) Cause for dismissal based upon charges.

- (1) The following charges preferred against a faculty member shall ground a proceeding for dismissal:
 - (a) Professional incompetency;
 - (b) Substantial, willful, and persistent neglect, without justification or excuse, of an essential institutional duty, validly prescribed by the university;

- (c) Conviction of a crime involving moral turpitude;
 - (d) Fraudulent credentials;
 - (e) Violation of proscribed behavior under rule 3344-11-14 of the Administrative Code.
- (2) In addition to the foregoing, the Revised Code lists offenses, which are grounds for automatic suspension and, upon conviction, automatic dismissal (see rule 3344-11-16 of the Administrative Code.)

(C) Dismissal procedures.

Dismissal proceedings shall be conducted consistently with the 1958 statement of the (“AAUP”) American association of university professors and (“AAC”) association of American colleges. The preliminary proceedings described in the 1958 statement shall be conducted by an informal hearing committee provided for in the university bylaws and the formal proceedings, if necessary, shall be conducted as follows:

- (1) Dismissal procedures against a faculty member shall be initiated by personal service upon such faculty member, or by certified and regular mail, of a written statement of charges, framed with particularity, by the chief academic officer.
- (2) The affected faculty member shall have the right to an informal meeting with the chief academic officer within ten days of service of the statement of charges to provide the faculty member the opportunity to present to the chief academic officer facts and circumstances pertaining to the charges against the faculty member.
- (3) The chief academic officer shall have seven days within which to respond to such additional information and shall revoke, modify, or issue the dismissal as originally stated. The notice of dismissal shall be by personal service upon the faculty member, or by certified and regular mail. The

president of the university senate shall be notified of the action being taken.

- (4) The faculty member may request a formal hearing by notifying the chief academic officer within ten days of personal service, or thirteen days of mailing, of the notice of dismissal, or the right to a hearing is waived. If the faculty member does request a hearing, the faculty member may submit a formal response to the charges in writing within twenty days after the formal request for a hearing is made.
- (5) Upon receipt of the request for a formal hearing, the chief academic officer shall initiate the formal hearing process. Such process shall be as follows:
 - (a) The chief academic officer shall advise the president of the faculty senate of the request for a formal hearing.
 - (b) The faculty senate academic steering committee, pursuant to senate by-laws and rules, shall designate a member of the faculty senate to participate as a member of a tripartite hearing panel.
 - (c) The chief academic officer shall also appoint an administrator with tenured faculty status to the hearing panel to represent the office of academic affairs (hereinafter, "administration").
 - (d) The panel members designated by the faculty senate and the chief academic officer shall jointly contact the federal mediation and conciliation service, who shall appoint an impartial hearing officer who shall act as the chair of a tripartite hearing panel to hear the matter.
- (6) A hearing shall be commenced within thirty days of receipt of the request for a formal hearing. The hearing shall be conducted pursuant to the applicable provisions of the Revised Code and Administrative Code applicable to agency hearings. Notwithstanding any provision of law or rule,

during the proceedings, the faculty member shall be permitted to have an academic adviser and counsel of the faculty member's choice.

- (7) A certified record of the hearing or hearings shall be taken by an official stenographer. A tape of the hearing or hearings shall be made available to the faculty member without cost to the faculty member, at the faculty member's request. If a transcript is required, the cost of such a transcript shall be borne by the university.
- (8) The university bears the burden of proof by a preponderance of the evidence that cause exists to dismiss the faculty member.
- (9) The hearing shall be held on a continuing basis. Adjournments shall be granted by the hearing panel for good cause.
- (10) The faculty member shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration shall, insofar as it is possible for it to do so and with due regard for confidentiality and privileged information, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.
- (11) The faculty member and the administration shall have the right to confront and cross-examine all witnesses.
- (12) In the hearing of charges of professional incompetence, the testimony may include that of individuals deemed by the panel to be experts in the field. Such qualification shall be agreed to by the panel members unanimously.
- (13) The panel shall not be bound by formal rules of evidence and may admit any evidence which is of probative value in determining the issues involved. However, every possible effort shall be made to obtain the most reliable evidence available.

- (14) The panel's findings of fact and decision shall be based solely on the hearing record.
- (15) Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements and publicity about the case is prohibited.
- (16) The panel shall issue its decision within thirty days of the close of the hearing. The panel may affirm, disaffirm, or modify the discharge. The panel shall forward its decision to the university president.
- (17) Upon receipt of the decision, the university president shall:
 - (a) Make the final determination based on the report, pursuant to the powers delegated to the president by the board of trustees and shall
 - (b) Forward the determination to the board of trustees for its ratification.
- (D) Dismissal based upon financial exigency or academic reorganization.

Whenever the president has reason to believe that the university faces a situation of bona fide financial exigency requiring the dismissal of faculty or that justification exists for the discontinuance of a program or department of instruction necessitating the termination of regularly appointed faculty members, the president shall consult with the university personnel committee and obtain its advice and counsel before recommending such action to the board of trustees. The university personnel committee may, if it desires, take not more than ninety days to review any discontinuance, to formulate its advice and counsel, and to submit this advice and counsel to the president.

- (1) Affected faculty members shall be able to have the issues related to their cases reviewed by the formal hearing committee established in the bylaws of the faculty senate with ultimate review of all controverted issues by the board of trustees. In every case of financial exigency or

discontinuance of a program or department of instruction, the faculty member concerned shall be given notice as soon as possible. Tenured faculty and non-tenured faculty not notified before the schedule of notice in paragraph (E)(2) of rule 3344-11-03 of the Administrative Code shall be given at least twelve months' notice. Before dismissal or termination under this rule, the university shall make a good faith and verifiable effort to place affected faculty members in other suitable positions within the university. When a faculty member's dismissal is based upon financial exigency academic reorganization, the released faculty member's place shall not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

- (2) Faculty members shall be kept informed of possible anticipated programmatic changes and staffing needs. Where possible, faculty members shall be provided ample opportunity to develop the mutually acceptable level of competence to fill another position agreeable to the individual and to the university. Preferential consideration shall be given tenured faculty in the relocation process.

(E) Separation for medical reasons.

- (1) A faculty member who is unable to perform usual and customary academic functions as described in rule 3344-16-02 of the Administrative Code may be involuntarily separated according to the following procedure:
 - (a) When the chief academic officer or designee has received substantial credible medical evidence of the faculty member's disability and determines that the faculty member is incapable of performing the essential functions as described in rule 3344-16-02 of the Administrative Code due to the disabling illness, injury or condition;
 - (b) The chief academic officer or designee shall request that the faculty member submit to a medical or

psychological examination prior to the involuntary separation of the faculty member.

- (2) If the faculty member disagrees with the findings of the medical or psychological examination, the faculty member may seek a separate medical examination at the faculty member's own expense. If there is a disagreement between the examinations secured by the administration and the faculty member, a third opinion shall be secured from an impartial medical professional who is independent of the other two examiners.
- (3) Pre-separation hearing. The chief academic officer or designee shall institute a hearing prior to involuntarily disability separating a faculty member. The faculty member shall be provided written notice at least ten university working days in advance of the hearing. If the faculty member does not waive the right to the hearing, then at the hearing the faculty member has the right to examine the university's evidence of disability, to rebut that evidence, and to present testimony and evidence on the faculty member's own behalf.
- (4) Based on the medical evaluations and the evidence presented at the pre-separation hearing, the chief academic officer shall then make a determination regarding the separation. If the chief academic officer or designee determines that the faculty member is capable of performing the essential functions, then the involuntary disability process shall cease and the faculty member shall be considered fit to perform the essential functions of the position. If the appointing authority determines that the faculty member is unable to perform the essential functions, then the chief academic officer shall issue an involuntary separation order. However, if a reasonable chance of recovery from illness exists for the faculty member in question, the faculty member shall be given an involuntary leave of absence for up to a period of nine months, based upon the recommendation of the medical professional assessing the faculty member's prospective time to recover. This involuntary leave is in addition to any FMLA or sick leave to which the faculty member is entitled

and shall commence only after the faculty member has exhausted their FMLA and sick leave.

- (5) Nothing in these provisions affects a faculty member's eligibility for sick leave and FMLA.

3344-11-07 Appointment of chairs, school director and deans.

(A) Appointment of department chairs and school directors.

- (1) Duties. The department chair/school director is responsible for leadership in the department/school; thus the department chair/school director shall:
 - (a) Have general administrative responsibility for the department/school's program and budget, subject to approval by the dean of the college.
 - (b) Make recommendations with regard to department/school faculty concerning appointments, promotions, salary adjustments, dismissals, and the conferment of tenure.
 - (c) Promote the mission of the university, including its affirmative action policies.
 - (d) Promote department/school morale, quality teaching, research, scholarship, creative activity, and university/community/professional service.
 - (e) For departments/schools subject to the CSU-AAUP agreement, work to implement, in cooperation with department/school faculty members, the faculty workload provisions of the current collective bargaining agreement.
 - (f) Foster democratic procedures within the department/school.
 - (g) Encourage and support program development.

- (h) Share information with and solicit the views of members of the department/school on matters of general interest.
 - (i) Obey department/school bylaws.
- (2) Terms of office. Departmental chairs/school directors report and are directly responsible to the dean of the college. Normal first term appointments shall be for four academic or fiscal years. Department chairs/school directors may be reappointed for a three-year term under the conditions specified in paragraph (A)(6) of this rule. Under exceptional circumstances and upon the recommendation of the provost and dean, the president may retain a department chair/school director beyond two consecutive terms with the approval of an absolute majority of the departmental faculty as defined by paragraph (A) of rule 3344-13-01 of the Administrative Code.
- (3) Nature of search. Resources permitting, the provost may authorize an external search.
- (4) Method of selection. The dean of the college, the college's faculty senators, and members of the department/school shall settle upon a method for choosing an appropriate search advisory committee (SAC). Normally, this advisory committee shall be composed of members of the department/school.
- (5) For the purpose of the processes of department chair/school director selection and retention (see paragraph (A)(6) of this rule), "members" of the department/school shall mean those faculty in the department/school who are college faculty (excluding emeritus faculty) as defined by paragraph (A) of rule 3344-13-01 of the Administrative Code. For these purposes the department/school "faculty" shall be understood to include only those faculty whose primary responsibility lies in the department/school in question, rather than in another department/school or academic unit (see paragraph (G) of rule 3344-11-02 of the Administrative Code.)

- (a) The search advisory committee may also include faculty members from one or more related professional fields or disciplines.
- (b) To address special circumstances in the department/school or to meet affirmative action guidelines, the dean or the affirmative action officer may request the department/school to select additional committee members as needed.
- (c) The search advisory committee shall then meet with representatives from the college's senate caucus, whose responsibility is to ensure fair voting - and in the case of internal searches, fair nominating-procedures. They may render additional types of assistance if requested by the committee.
- (d) Once procedure has been determined, members of the search advisory committee shall solicit and review applications or call for nominations, depending on the nature of the search. Subsequently, they shall arrange a vote of all department/school members on the acceptability of candidates.
- (e) The search advisory committee shall then submit to the dean an unranked list of all candidates deemed acceptable by a majority vote of the department members as defined in paragraph (A)(4) of this rule. This list should be accompanied by commentary relevant to the dean's final decision.
- (f) If two iterations of the search process (as described in paragraphs (A) to (E) of this rule) do not produce an acceptable candidate, the provost may invoke the following procedure:
 - (i) The provost shall present evidence to the university faculty affairs committee that the department/school is unlikely to reach consensus under its current composition and circumstances,

- (ii) The university faculty affairs committee shall complete a consideration of the provost's statement, and
- (iii) The university faculty affairs committee may then approve an emergency process:
 - (a) The dean shall recommend to the provost the appointment of a chair from among the finalists recommended by the search advisory committees;
 - (b) This process shall be invoked only under the circumstances specified above, and only with university faculty affairs committee approval.
- (g) Beyond the normal university affirmative action procedures, external candidates recruited by Cleveland state university for appointment as department chairs/school directors shall submit credentials to the academic department/school in question. In departments/schools subject to the CSU-AAUP agreement, the department/school shall make a recommendation as to the individual's qualifications for tenured academic rank as set forth in the appropriate article of the current CSU-AAUP collective bargaining agreement.
- (h) In the case of an interim or acting department chair/school director, the dean of the college shall consult with the members of the department/school before the appointment is made. Under normal circumstances, an interim or acting department chair/school director should not serve for more than two years. Should an interim or acting department chair/school director succeed in a regular appointment, the normal four-year first term shall begin from the date of the regular appointment.

(6) Review and continuance.

(a) Schedule of reviews. The provost's office is responsible for the mechanics (e.g. scheduling, providing appropriate forms, and collecting responses) of review of department chairs/school directors.

(i) Department chairs/school directors shall be reviewed annually by the dean. At least every third year, the dean shall seek the departmental members'¹ evaluation of the chair/director's performance, based on the criteria for review indicated below. The evaluation forms shall also make provision for written comments and an overall evaluation of the department chair/school director's service as excellent, satisfactory, or unsatisfactory.

(ii) The dean shall provide a report on the evaluation responses, including the quantitative data (the responses to the overall evaluation) and a summary narrative of qualitative responses. The dean will convey the report to the members of the department/school. If concerns are raised about the accuracy of the report, the university faculty affairs committee will evaluate these concerns, and may require the dean to provide them with all documents pertaining to a department chair's/school director's evaluation, so that the committee can judge the accuracy of the report. If the committee identifies any discrepancies, the dean shall revise and re-issue the report to the members of the department/school.

¹Faculty members who also hold administrative positions including president, provost, vice provost, dean, associate dean, or any other administrative position that automatically takes them out of the bargaining unit shall not participate in the evaluation of the chair/director at the department/school level.

- (iii) The dean shall take the evaluation into account when considering reappointment and shall report on the evaluation results in the college's annual report to the provost. The dean shall inform department/school members in a timely manner of the reappointment decision.
 - (iv) A majority of the department/school members, as defined in paragraph (A)(5)(b) of this rule may request an unscheduled departmental/school review of the chair/director. If, after any of these prescribed or optional reviews, the dean and a majority of the department/school members (as expressed by their quantitative responses to the overall evaluation) are in clear disagreement over the retention of a chair/director, the decision may be appealed to the university faculty affairs committee and the provost.
- (b) Criteria for review. In evaluating the performance of a department chair/school director, the dean and faculty shall consider both the general overall leadership provided by that chair/school director and the following specifics:
 - (i) Administration of the department/school's program and budget;
 - (ii) Timeliness, objectivity, and fairness in recommendations concerning appointments, promotions, salary adjustments, dismissals, and conferment of tenure of department/school faculty;
 - (iii) Promotion of department/school morale, quality teaching, research, scholarship, creative activity, and university/community/professional service;

- (iv) Promoting the mission of the university, including its affirmative action policies, where appropriate;
 - (v) Objectivity and fairness in discussions with individual faculty regarding faculty workload plans in accordance with the provisions of the current collective bargaining agreement;
 - (vi) Fostering of democratic procedures;
 - (vii) Encouragement of and support for program development;
 - (viii) Performance in accord with approved departmental/school bylaws; and
 - (ix) Evidence that information has been shared with and views solicited from members of the department/school on matters of general interest.
 - (c) Additional review criteria. At the discretion of the dean, additional specific evaluation criteria specific to each department/school may be employed. If such additional criteria are to be included in evaluations, the dean should inform the department chairs and school directors of these standards at the beginning of each academic year. For illustrative purposes, these additional criteria may include: student (undergraduate and graduate) enrollment, retention and graduation rates; external grant activity; community outreach activities; maintaining accreditation standards; student outcomes; and research-publication activity.
- (B) Appointment of deans of colleges.
- (1) Duties. The dean of a college:
 - (a) Shall have the general administrative responsibility

for the program and budget of the college, subject to approval by the provost of the university.

- (b) Shall recommend to the president appointments, promotions, salary adjustments, dismissals, and the conferment of tenure with regard to the college faculty.
 - (c) Shall promote the mission of the university including its affirmative action policies.
 - (d) Shall encourage and promote college morale, research and scholarship, and quality teaching.
 - (e) Shall cultivate democratic management by sharing information on all matters of general college interest with all the members of the college faculty and by consulting them on all significant actions as required by the college bylaws.
 - (f) Shall abide by applicable policies in the current CSU-AAUP agreement.
- (2) Method of selection. The provost shall meet with the college's elected faculty senate members. Together they shall determine the method of choosing the selection committee. The committee established to make recommendations on the selection may differ from case to case according to the particular situation at the time in the college concerned. Considerations involved in deciding on the selection committee may include the size of the college, the relative strength of departments within the college, the administrative policy and procedures of the previous dean, the state of morale in the college, the degree of cooperation between the college and other colleges, and other relevant factors. Normally the selection committee shall be composed of college faculty. For these purposes the college faculty shall consist of those faculty members whose primary responsibility, as set forth in paragraph (G) of rule 3344-11-02 of the Administrative Code, is in the college in question and who are members of that college faculty as

defined by paragraph (A) of rule 3344-13-01 of the Administrative Code, with the exception of emeritus faculty. Faculty members from one or more other colleges may be added to the committee. The selection committee may request the services of one or more consultants. The committee shall solicit recommendations and interview prospective appointees. The committee shall recommend to the provost and the president or the president's representative the names of individuals considered acceptable for appointment. All the persons involved in the selection shall work closely together in attempting to achieve agreement on the individual who shall finally be offered the appointment through the customary procedure of the university. The dean of a college whose faculty are represented by the CSU-AAUP contract shall apply to the department for rank and tenure in accordance with the qualifications specified in the appropriate section of the current CSU-AAUP contract. The rank and tenure of the dean of the Cleveland Marshall college of law shall be recommended by that college's personnel action committee.

- (3) The appointment of an acting dean shall be made by the provost in consultation with the elected members of faculty senate representing the college concerned, and if applicable, with the department chairs/school directors of that college.
- (4) Review and continuance. Assessment of the performance of deans is the responsibility of the provost. One component of this assessment is the evaluation of decanal performance by both full-time faculty and department chairs/school directors.*²

*²For those purposes, the college faculty shall consist of those faculty members whose primary responsibility as set forth in paragraph (G) of rule 3344-11-02 of the Administrative Code is in the college in question and who are members of that college faculty as defined by paragraph (A) of rule 3344-13-01 of the Administrative Code, with the exception of emeritus faculty. However, any such faculty member who also serves as provost or president, or in an administrative capacity as advisor to the provost or president on evaluation of college deans, shall not vote as a member of the faculty in evaluations of college deans, and their failure to vote shall not be tallied in any manner.

- (a) Each dean shall be evaluated formally in the spring of every fourth year. The provost shall prepare evaluation forms which shall provide for an evaluation of a dean for each duty specified above in paragraph (B)(1) of this rule. The evaluation forms shall also make provision for written comments and an overall evaluation of the dean's service as excellent, satisfactory, or unsatisfactory. In addition, the forms shall be labeled "department chair/school director" or "College Faculty Member" so that the evaluations by these two constituencies may be separated. The dean may be removed from office at the end of any contract year by the provost.
- (b) The provost shall provide a report on the evaluation responses, including the quantitative data (the responses to the overall evaluation) and a summary narrative of qualitative responses. The provost will convey the report to the dean and members of the college. If concerns are raised about the accuracy of the report, the university faculty affairs committee will evaluate these concerns, and may require the provost to provide them with all documents pertaining to a dean's evaluation, so that the committee can judge the accuracy of the report. If the committee identifies any discrepancies, the provost shall revise and re-issue the report to the members of the college. The report shall not be included in any personnel file or permanent record.
- (c) Additional review criteria.

At the discretion of the provost, additional specific evaluation criteria specific to each dean and college may be employed. If such additional criteria are employed, the provost should inform the dean of these standards at the beginning of each academic year. For illustrative purposes, these additional criteria may include: student (undergraduate and graduate) enrollment, retention and graduation rates; external grant activity; student success and

outcomes; community outreach activities; research-publication success; maintaining accreditation standards; and external fund raising.

3344-11-08 Resignation and retirement.

(A) Resignation.

A faculty member has an obligation to give notice of intent to resign no less than three months before termination of the faculty member's service at the end of any academic term.

(B) Retirement.

- (1) A retired faculty member may qualify for the award of emeritus or emerita status (see paragraph (N) of rule 3344-11-02 and rule 3344-12-09 of the Administrative Code.)
- (2) A retired faculty may, with the approval of the dean, be offered post-retirement classroom instruction employment on a part-time, semester-to-semester basis. The rate of compensation shall be determined in negotiations between the dean and the faculty member, subject to the approval of the provost.

3344-11-09 Leave of absence (non-bargaining unit members only).

(A) Leave of absences under this section are only those leaves taken by faculty members for professional purposes requiring that the faculty member miss assigned classes. Such leaves of absence fall into three categories: absences, short leaves, and extended leaves.

- (1) Absences lasting no more than one week and entail no cancellation or rescheduling of classes - Absences require no more than prior notification to the departmental chairperson or, in non-departmentalized colleges, the college dean, and are limited to a maximum of four absences per semester.
- (2) Short leaves either last more than one week but no more than

five weeks or require cancellation or rescheduling of classes
- all short leaves require written permission of the departmental chairperson or, in non-departmentalized colleges, the college dean.

- (3) Extended leaves last more than five weeks and shall be approved in accordance with paragraph (B)(4) of this rule. Extended leave includes the following paid and unpaid types of leave:

- (B) Leave with pay.

- (1) Types of leave:

- (a) Military leave. As a general rule, faculty members who participate in military reserve programs should take their training during the summer months. Leave with pay shall be granted, however, to members of the national guard and other armed forces for thirty-one days each year.
 - (b) Judicial leave. Leave with pay is granted when a faculty member is called for jury duty or is subpoenaed to testify as a witness before any court or governmental hearing body. Service as an expert witness shall be considered to be in the same category as consulting and shall be subject to the limitations, thereon, specified in rule 3344-11-11 of the Administrative Code.
 - (c) Professional leave (non-bargaining unit members only). A full-time faculty member with at least seven academic years of teaching service at the university may be granted professional leave with pay for a period not to exceed one full academic year to engage in further education, research, or other programs of professional improvement that can contribute directly to the improvement and development of the faculty member and the university.

(2) Guidelines and definitions:

(a) Eligibility.

- (i) Completion of seven years of full-time academic service at Cleveland state university at the time of the initiation of the leave.
- (ii) Tenure effective as of the date the professional leave becomes effective.

(b) Definitions for eligibility.

- (i) “Full-time faculty” defined as persons holding full-time faculty appointments in one or more academic departments or colleges, as specified in the faculty personnel policies.
- (ii) “Academic years of teaching service” defined as two semesters of academic responsibilities (teaching, research, etc.) in a given calendar year. Years of partial service may accumulate to equal the equivalent of a year of full-time service. Summer teaching for faculty on nine-month contract does not count toward the accumulation of years of service.
- (iii) Leave of absences from faculty assignments without pay that occur during the seven-year period do not count toward eligibility for professional leave. However, such leaves of absence shall not be considered to have substituted for faculty professional leave with pay as defined in these guidelines.

(c) Period of leave and compensation. The period of professional leave for the non-bargaining faculty member who has completed at least seven full years of academic service may consist of one of the

following:

- (i) One semester: 100 per cent of nine-month salary prorated for one semester.
 - (ii) Two semesters: 66.67 per cent of nine-month salary.
- (d) Summer term shall not normally be considered as available for a professional leave.
- (e) Other considerations.
 - (i) Fringe benefits. For professional leaves of one semester, fringe benefits including retirement and insurance benefits shall continue at the normal level. For leaves of two semesters, all fringe benefits shall continue at the normal level with the exception of retirement benefits, the payment of which is based on actual dollars earned.
 - (ii) Salary increments. Faculty members on professional leave shall be eligible for salary improvement for the following year in the same way as faculty members currently teaching on campus.
 - (iii) Additional compensation during the period of leave. A faculty member on professional leave under this policy shall not hold a paid position, unless that position can be shown to assist the faculty member professionally. Should the faculty member hold such a paid position, however, the sum of the professional leave salary and additional funds in the form of grants, stipends, gifts, or pay shall not exceed the amount of the normally contracted salary, with the exception of such funds as are allocated in a grant for special expenses such as equipment, books,

professional travel, etc.

- (iv) Released time or assigned duty. Professional leave taken as part of a faculty improvement program established under this rule shall not be deemed to be in lieu of released time or assigned duty in connection with a specific research, scholarly, or creative program.
- (v) Upon completion of professional leave, a faculty member begins accruing time toward eligibility for the award of their next professional leave as of the date of resuming their normal academic duties, unless the faculty member's leave was deferred under the provisions of paragraphs (B)(3)(e) and (B)(3)(i) of this rule. In that case, the eligibility for future professional leaves of those deferred shall be calculated from the point at which they would have returned from leave in their original proposal.
- (vi) The second and subsequent instances when a faculty member accepts a Fulbright scholarship or similar award within a seven-year eligibility cycle do not count toward eligibility for the next professional leave.
- (vii) Professional leaves are contingent upon staffing, resources, and scheduling requirements. Colleges shall offer assurance that requested professional leaves can be accommodated at no additional cost.
- (viii) To assure that the university shares in the benefits of the professional leave, faculty members taking professional leave agree to return to Cleveland state university for at least two semesters (excluding summer) after completing their professional leave or to refund the compensation paid by the

university during the leave, unless this obligation is specifically waived or deferred by the university.

- (ix) The instructional workload for a faculty member on one semester's leave shall be one-half of the target teaching load for the academic year in which the professional leave is taken.

(3) Procedure for application and review.

- (a) Applications from faculty members seeking professional leave for the following academic year should be submitted to the department chair, or, in colleges that do not have departments, to the office of the dean, by November fifteenth. The proposal should include the following:
 - (i) An indication of the specific semesters for which the leave is requested;
 - (ii) A plan that defines carefully and as completely as possible the purpose of the leave and specifies clearly its expected outcomes;
 - (iii) A description of any fellowship and/or grant pending or secured at the time of making application for professional leave; and
 - (iv) A current curriculum vitae.
- (b) The department chairperson or the dean of a college without departments shall initiate a review by a faculty committee of the proposals submitted. The primary criterion shall be the merits of the proposal, bearing in mind that the purpose of professional leave is to enable faculty members to engage in further education, research, or other program of professional improvement that can contribute

directly to the improvement and development of the faculty member and the university. The faculty committee should also keep in mind the maintenance of departmental standards and responsibilities for all ongoing programs.

- (c) The department chairperson or the dean of a college without departments is responsible for making advance arrangements to provide adequate coverage for a faculty member on professional leave. Duties of persons on professional leave normally shall be assumed by the remaining faculty. If a faculty member is on leave with less than full salary, the remaining part of their budgeted salary may be used for (partial) replacement. No professional leave shall be granted that requires a compensating addition to the permanent faculty or staff.
- (d) In colleges having departments, applications supported by the department committee with a statement from the chairperson indicating how adequate coverage shall be provided for the faculty member in their absence shall be forwarded by an appropriate departmental committee to the appropriate dean.
- (e) The dean shall initiate a review of all applications by a faculty committee. In this review, the quality of the proposal shall be the primary criterion. The committee should also bear in mind the necessity of providing adequate coverage for the faculty member in their absence and the necessity for maintenance of departmental and college standards and responsibilities of all ongoing programs. Deans shall assure that all leaves in the college are recommended on a “break even” or “no cost” basis to the college. Approved two-semester leaves may not subsequently be reduced to one-semester leaves, unless mutually agreed upon by the faculty member and the provost. If the number of proposals exceed the number that can be supported without additional, cost or if all

applicants cannot be accommodated because of bona fide instructional obligations, then the dean may limit the number of proposals that are recommended by the college. In this case, the committee should prioritize the proposals with positive recommendations being determined in the following order:

- (i) First, faculty members who were denied leave due to funding shortfalls in the previous year;
 - (ii) Second, faculty members who have applied for a full-year leave;
 - (iii) Third, faculty members who have never had a professional leave;
 - (iv) Fourth, faculty members with the longest time since their last professional leave;
 - (v) Fifth, faculty members with the longest continuous full-time service in the university.
- (f) After such priority lists are made, deans shall give timely notice to any faculty members whose leaves are at risk of being deferred.
 - (g) Eligible faculty members who are asked to defer professional leave shall be accorded first priority in the following year. The eligibility for future professional leave of those deferred shall be calculated from the point at which they would have returned from leave in their original proposal.
 - (h) In any event, the dean shall issue a statement indicating how adequate coverage can be provided for the faculty member in their absence as part of the dean's recommendation to the provost.
 - (i) Faculty members whose application for a leave was

deemed of acceptable quality but denied as a result of a funding shortfall on the college level may reapply the following year. Such applications shall be reviewed again by department and college-level committees and, if again found of acceptable quality, shall be funded – as long as the university can do so on a “break even” or “no cost” basis at the university level.

- (j) To be considered by the provost, applications from a college with departments shall include the recommendations of the applicant’s departmental committee, the chairperson, the college committee, and the dean. Applications from a college without departments shall include recommendations of the applicant’s college committee and the dean.
- (k) The provost shall, in turn, make recommendations on faculty professional leaves to the president. The president shall make recommendations to the board of trustees for final approval at its April meeting, or earlier, if there is no April meeting.
- (l) Within ninety days of returning to university duties, a faculty member shall submit a written report of activities during the period of professional leave. The report should be submitted to the department chairperson or the dean of a college without departments, who shall comment upon the report in writing. The report and comments shall be forwarded simultaneously to the dean and/or the provost.

(4) Other extended leaves.

Application procedures for other extended leaves shall be as above for professional leave with pay, except that the extent of information required may vary and the president may seek the advice of the appropriate committee of the faculty at their discretion.

(C) Leave without pay.

- (1) Military service leave. In addition to the paid leave granted to members of the national guard and other armed forces for thirty-one days each year, unpaid leave shall be available during their term of active duty military service.
- (2) Special leave. Special leave without pay may be granted for study, research, professional employment, election or appointment to public office, or other personal reasons such as travel or rest. During a special leave, the faculty member may accept an appointment at another educational institution provided such an appointment is not in a regular tenure-track position. The university discourages requests for leaves to enter private business or practice, unless such request is considered by appropriate university personnel to be an opportunity to enhance and strengthen the professional development of the faculty member.
- (3) Special leaves are normally granted for a period of up to one year. An extension of up to one year may be granted only if it is shown that this would clearly benefit either the university or the professional career of the faculty member. Further extensions beyond a second year shall be granted only in rare instances such as an opportunity to engage in projects of unusual value to the faculty member and the university.
- (4) Periods of leave without pay may be credited as professional service in consideration of promotion, tenure, and increments according to the provisions of paragraph (F) of rule 3344-11-02 of the Administrative Code. University benefits may continue during a period of special leave, as permitted by law and with approval of the president, provided that the faculty member on special leave makes proper arrangements to pay any premiums on the continuing benefit programs.*

* Faculty members who do not carry their benefits while on leave need to make new application upon their return to resume benefit coverage.

(5) Family and Medical Leave Act of 1993 (FMLA):

University benefits shall continue provided that a faculty member on leave makes proper arrangements for payment on premiums in all contributory benefit programs. Complete information on the FMLA can be obtained from the department of human resources development and labor relations.

3344-11-10 Grants and contracts for research, training, and other purposes.

All proposals to outside agencies for financial support in excess of five hundred dollars for research, training, institutes, seminars, facilities, equipment, or other university activities or purchases shall be submitted to the vice president for research, according to the policies and procedures that the vice president for research shall establish.

3344-11-11 Consulting and other extramural employment (non-bargaining unit members only).

- (A) Faculty members are frequently called upon to render professional counsel or service to public or private agencies for which compensation is direct and in excess of the terms of university contracts. Such services are encouraged if they fulfill a responsibility of the university to the community at large and provide invaluable professional experiences. It is understood, however, that such activities shall in no way limit the extent or quality of a faculty member's obligation to the university or their profession. There are three levels of such activities:
 - (1) Activities that have a minimal impact on the faculty member's university or professional obligations, e.g., keynote speeches, paid reviews of research articles, books or creative works, and tenure reviews for other universities.
 - (2) Activities that have a somewhat substantial one-time impact on the faculty member's university or professional obligations, e.g., teaching short courses or workshops,

consulting on projects for business, government or nonprofit organizations, expert testimony and self-employment.

- (3) Activities that have a substantial and continuing impact on the faculty member's university or professional obligations, e.g., long-term consulting relationships with business, government or nonprofit organizations, expert testimony and self-employment.
- (B) The activities described in paragraph (A)(1) of this rule are exempt from the pre-approval requirements specified in the remainder of this article but shall be included in the annual spring semester report of extramural employment.
- (C) Before performing activities described in paragraphs (A)(2) and (A)(3) of this rule, the faculty member shall obtain the written approval of the faculty member's supervisor; such approval not to be unreasonably denied. In no event shall the faculty member accept a regular salary or annual retainer for counsel or services without the written consent of their supervisor.
- (D) Faculty members shall not engage in any outside employment activity, which competes directly with the university in its pursuit of grants, awards, projects and other sources of funding. In addition, outside employment shall not be undertaken, that violates Ohio's ethics laws governing public employees.
- (E) The use of the name, symbol, or address of Cleveland state university in any extramural employment agreement is prohibited. University facilities, equipment, and materials may be used for such purposes only with the prior express consent of the administration and according to explicit terms for reimbursement.
- (F) The faculty member's supervisor shall at all times be kept informed in writing of the extramural employment of full-time faculty members. Faculty shall submit a report of such activities, indicating the number of hours and for whom the work was performed, to the supervisor in the spring semester of each academic year. Consulting activities should make a contribution to the enrichment of the teaching and/or research competence of the faculty member.

- (G) If the faculty member's supervisor believes that a faculty member's outside activities interfere with the extent or quality of the faculty member's obligation to the university or to the profession or compete directly with the university in its pursuit of grants, awards, projects and other sources of funding, or if the faculty member fails to abide by the procedures set forth in paragraph (A) of this rule, the supervisor and the faculty member shall discuss the situation in an attempt to resolve any problems or misunderstandings. After such consultation, the supervisor may order suspension or termination of any outside employment. Such orders to suspend or terminate outside employment may be appealed to the provost. During the grievance procedure, the order of the supervisor affecting outside employment normally shall not force suspension or termination of existing contractual obligations, but shall prohibit the faculty member from extending or renewing any existing contractual obligations, or accepting any new outside employment. Nevertheless, if the supervisor determines that continuing the outside employment impairs the faculty member's obligation to the university or the profession, the faculty member shall suspend or terminate the outside employment even if the order is challenged through appeal.
- (H) Faculty members are expressly prohibited from teaching for other educational institutions, colleges or universities while under contract, unless such teaching is a part of an inter-institutional agreement entered into by Cleveland state university or the faculty member has the prior written consent of the faculty member's supervisor.

3344-11-12 Candidacy for public office.

- (A) A faculty member may run for an elective public office under the following conditions. The faculty member shall in all cases submit a full statement of proposed campaign activities and of the responsibilities of the office, which they propose to assume. When, in the judgment of the university, those activities conflict with the faculty member's professional obligations, the faculty member shall submit a written application for reduced levels of employment and compensation in the university, or for a special leave of absence without pay, at such a date that it will come before the board of

trustees for its consideration at least one full academic semester before the assumption of the said activities. Submission of statements and application shall be according to the procedures set forth in paragraph (C) of rule 3344-11-09 of the Administrative Code.

- (B) A faculty member may accept an elective or appointive office under the following conditions. When, in the judgment of the university, those responsibilities and salaries conflict with the faculty member's professional obligation, the faculty member shall submit a written application for reduced levels of employment and compensation in the university or for a special leave of absence without pay, at such a date that the application will normally come before the board of trustees for its consideration at least one full academic semester before the assumption of the said responsibilities.

3344-11-13 Attachment A to Chapter 3344-11 of the Administrative Code -1940 statement of principles on academic freedom and tenure.

Editorial note: The following is an excerpt from the statement of principles concerning academic freedom and tenure formulated by representatives of the association of American colleges (AAC) and of the American association of university professors (AAUP) and agreed upon at a joint conference November 8, 1940. The statement was endorsed by the AAC at its annual meeting on January 9, 1941, and by the AAUP on December 28, 1941. It has been edited to contain gender-neutral language.

- (A) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- (B) The teacher is entitled to freedom in the classroom in discussing the subject, but the teacher should be careful not to introduce into this teaching controversial matter that has no relation to the subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of appointment.
- (C) The college or university teacher is a citizen, a member of a learned

profession, and an officer of an educational institution. When speaking or writing as a citizen, the teacher should be free from institutional censorship or discipline, but special position in the community imposes special obligations. As a person of learning and an educational officer, the teacher should remember that the public may judge the profession and the institution by the teacher's utterances. Hence, the teacher 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 the teacher is not an institutional spokesperson.

**3344-11-14 Attachment B to Chapter 3344-11 of the Administrative Code
- A statement on professional ethics and
academic responsibility*.**

- (A) The basic functions of the university are the advancement and dissemination of knowledge, the development of critical intelligence in the young, and the education of citizens and professional workers for the society of which the university is a part.
- (B) The indispensable condition for the successful discharge of these functions is an atmosphere of intellectual freedom. Unless a faculty member is free to pursue the quest for knowledge and understanding, wherever it may lead, and to report and discuss the findings, whatever they may be, the university faculty member cannot properly perform their work. It is imperative, therefore, that the university maintains an atmosphere of intellectual freedom and that faculty members uphold that freedom by their own actions. To make that freedom operational, it is equally imperative that the university establish democratic mechanisms for meaningful faculty participation in the governance of the institution.
- (C) Freedom entails responsibilities. It is incumbent upon the faculty member to accept the responsibilities and, which are concomitant with the freedom and, for the most part, enjoys. Those responsibilities are: to students, to scholarship, to colleagues, to the university, and to the larger community which the university serves.
- (D) Responsibilities to students.

- (1) As teachers, faculty members have the responsibility for creating in the classroom or laboratory and in relations with students a climate that stimulates and encourages the students' endeavors to learn. To the best of their ability, exemplify high scholarly standards, and respect and foster the students' freedom to choose and pursue their own goals.
- (2) Regardless of rank or position, the instructor of record is required to file with the department and shall provide each student with a course syllabus specifying at a minimum:
 - (a) The instructor's office and phone number.
 - (b) The instructor's office hours.
 - (c) The basis for determining the student's grade.
- (3) Adequate supporting documentation regarding student performance should be continually maintained. Any changes to items in paragraphs (D)(2)(a) to (c) should be provided to the student in writing. Documentation shall be maintained for one semester.
- (4) Refusal to fulfill this responsibility after reasonable warnings and an opportunity to rectify the condition is cause for the dean to recommend that the chief academic officer initiate the procedure for sanctions.
 - (a) The faculty member has the obligation to make clear the objectives of the course or program, to establish requirements, to set standards of achievement, and to evaluate the student's performance.
 - (b) The faculty member has the responsibility to meet classes as scheduled and, when circumstances prevent this, to arrange equivalent alternate instruction.
 - (c) The faculty member has the responsibility to teach courses in a manner that is consistent with the course description and credit published in the catalogue and

with the announced objectives of the course.

- (d) The faculty member owes to the student and the university a fair and impartial evaluation of the student's work. Such evaluation should be consistent with recognized standards and shall not be influenced by irrelevancies such as religion, race, sex, or political view, or be based on the student's agreement with the teacher's opinions pertaining to matters of controversy within the discipline.
- (e) Every student is entitled to the same intellectual freedom that the faculty member enjoys. The faculty member shall respect that freedom. The faculty member may not impose restraints upon the student's search for or consideration of diverse or contrary opinion. More positively, the faculty member has an obligation to protect the student's freedom to learn, especially when that freedom is threatened by repressive or disruptive action.
- (f) The faculty member has obligations as intellectual guide and counselor to students. The faculty member has a responsibility to be available to students without undue delay. In advising students, the faculty member should make every reasonable effort to see that information given to them is as accurate as possible. The progress of students in achieving their academic goals should not be thwarted or unduly retarded because a faculty member has neglected obligations as advisor and counselor.
- (g) Faculty members should conduct themselves at all times so as to demonstrate respect for the student. They should always respect the confidences deriving from the faculty-student relationship.
- (h) The faculty member shall avoid exploitation of students for personal advantage. For example, in writing and oral presentations, the faculty member makes due acknowledgement of their contributions

to the work.

(E) Responsibilities to scholarship.

- (1) The faculty member's responsibilities to scholarship derive from the university's commitment to truth and the advancement of knowledge. Furthermore, society has a vital state in maintaining the university as an institution where knowledge can be sought and communicated regardless of its popularity, its political implications, or even its immediate usefulness. The faculty member has an ethical responsibility both to make full appropriate use of that freedom in teaching and research and to guard it from abuse.
- (2) More specifically:
 - (a) Faculty members are committed to a lifetime of study. Although no one can know everything, even about a limited subject, they shall constantly strive to keep abreast of progress in their field, to develop and improve scholarly and teaching skills, and to devote part of their energies to the extension of knowledge in their area of competence.
 - (b) The faculty member has the responsibility of being unfailingly honest in research and teaching, refraining from deliberate distortion or misrepresentation and taking regular precautions against the common causes of error.
 - (c) In order to maintain or increase their effectiveness as a scholar, faculty members may find it advantageous to assume certain obligations outside the university, such as consulting for government or industry, or holding office in scholarly or professional societies. Such activities are appropriate in so far as they contribute to their development as a scholar in the field, or at the very least, do not interfere with that development. On the other hand, acceptance of such obligations primarily for financial gain, especially when such

activities may be incompatible with the faculty member's primary dedication as a scholar cannot be condoned.

(F) Responsibilities to colleagues.

As a colleague, the faculty member has obligations that derive from common membership in the community of scholars. The faculty member respects and defends the free inquiry of associates and avoids interference with their work. In the exchange of criticism and ideas the faculty member shows due respect for the rights of others to their opinions, refraining from personal vilification. The faculty member acknowledges contributions of others to the work. When asked to evaluate the professional performance of a colleague, the faculty member strives to be objective.

(G) Responsibilities to the institution.

The faculty member's primary responsibility to the institution is to seek to realize maximum potential as an effective scholar and teacher. In addition, the faculty member has a responsibility to participate in the day-to-day operation of the university. Among the faculty member's general responsibilities to the university the following may be particularly noted:

- (1) When acting or speaking as a private person, the faculty member should make clear that the actions and utterances are entirely the faculty member's own and not those of the university.
- (2) The faculty member shall never attempt to exploit standing within the university for private or personal gain. The faculty member may, on appropriate occasions, cite connection with the university, but only for purposes of identification not permitting the impression to prevail that the university in any way sponsors any of the faculty member's private activities.
- (3) University facilities, equipment, supplies, etc., shall never be used for personal or private business.
- (4) A faculty member has the duty to ensure that the regulations

of the university are designed to achieve the university's goals as well as being in accord with the principles of academic freedom. Recognizing the importance of order within the institution, the faculty member observes the regulations of the university, but in no way abdicates the right to attempt to reform those regulations by any appropriate orderly means.

- (5) Effective faculty participation in the governance of the university promotes academic freedom and the goals of the institution. Each faculty member should take part in the institution's decision-making processes to the best of the faculty member's ability and should accept a fair share of the faculty's responsibilities for its day-to-day operation.
- (6) During periods of disturbance or high tension on campus, a faculty member should do everything possible to prevent acts of violence and to reduce tension.
- (7) A faculty member determines the amount and character of the work and other activities pursued outside the responsibilities within the university and his primary loyalties to it.

(H) Responsibilities to the community.

As a member of the community, the faculty member has the rights and obligations of any citizen. These include the right to organize and join political or other associations, convene and conduct public meetings, and publicize an opinion on political and social issues. However, in exercising these rights, the faculty member shall make it clear that the faculty member does not speak for the university, but simply as an individual. The faculty member does not use the classroom to solicit support for the faculty member's personal views and opinions.

- (I) Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions on the other. If such conflicts

become acute, and the faculty member's attention to obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, the faculty member cannot escape the responsibility of that choice, but should either request a leave of absence or resign the academic position.

*Originally published with the kind permission of the faculty senate of the university of Iowa, which adopted this statement on April 27, 1971; subsequently revised and edited.

**3344-11-15 Attachment C to Chapter 3344-11 of the Administrative Code
– 1958 - statement on procedural standards in faculty dismissal
proceedings.**

(A) Foreword.

The following statement on procedural standards in faculty dismissal proceedings has been prepared by a joint committee representing the association of American colleges and the American association of university professors. It is intended to supplement the 1940 statement of principles on academic freedom and tenure by providing a formulation of the "academic due process" that should be observed in dismissal proceedings. However, the exact procedural standards here set forth "are not intended to establish a norm in the same manner as the 1940 statement of principles on academic freedom and tenure, but are presented rather as a guide... ." (The statement was approved by the association of American colleges in January 1958, and by the American association of university professors in April 1958.)

(B) Introductory comments.

- (1) Any approach toward settling the difficulties, which have beset dismissal proceedings on many American campuses, must look beyond procedure into setting and cause. A dismissal proceeding is a symptom of failure; no amount of use of removal process will help strengthen higher education as much as will the cultivation of conditions in which dismissals rarely if ever need occur. Just as the board of control or other governing body is the legal and fiscal corporation of the college, the faculty are the academic

entity. Historically, the academic corporation is the older. Faculty were formed in the middle ages, with managerial affairs either self-arranged or handled in course by the parent church. Modern college faculties, on the other hand, are part of a complex and extensive structure requiring legal incorporation, with stewards and managers specifically appointed to discharge certain functions.

- (2) Nonetheless, the faculty of a modern college constitutes an entity as real as that of the faculties of medieval times, in terms of collective purpose and function. A necessary precondition of a strong faculty is that it have firsthand concern with its own membership. This is properly reflected both in appointments to and in separations from the faculty body.
- (3) A well-organized institution will reflect sympathetic understanding by trustees and teachers alike of their respective and complementary roles. These should be spelled out carefully in writing and made available to all. Trustees and faculty should understand and agree on their several functions in determining who shall join and who shall remain on the faculty. One of the prime duties of the administrator is to help preserve understanding of those functions. It seems clear on the American college scene that a close positive relationship exists between the excellence of colleges, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. Such a condition is in no way inconsistent with full faculty awareness of institutional factors with which governing boards shall be primarily concerned.
- (4) In the effective college, dismissal proceedings involving a faculty member on tenure or one occurring during the term of an appointment shall be a rare exception, caused by individual human weakness and not by an unhealthy setting. When it does come, however, the college should be prepared for it so that both institutional integrity and individual human rights may be preserved during the process of resolving the trouble. By the same token, presidents and governing boards shall be willing to give full weight to a faculty judgment favorable to a colleague.

- (5) One persistent source of difficulty is the definition of adequate cause for the dismissal of a faculty member. Despite the 1940 statement of principles on academic freedom and tenure and subsequent attempts to build upon it, considerable ambiguity and misunderstanding persist throughout higher education, especially in the respective conceptions of governing boards, administrative officers, and faculties concerning this matter. The present statement assumes that individual institutions will have formulated their own definitions of adequate cause for dismissal, bearing in mind the 1940 institutions.
 - (6) This statement deals with procedural standards. Those recommended are not intended to establish a norm in the same manner as the 1940 statement of principles on academic freedom and tenure, but are presented rather as a guide to be used according to the nature and traditions of particular institutions in giving effect to both faculty tenure rights and the obligations of faculty members in the academic community.
- (C) Procedural recommendations - preliminary proceedings concerning the fitness of a faculty member.
- (1) When reason arises to question the fitness of a college or university faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. Consideration of the matter may be terminated by mutual consent at this point; but if an adjustment does not result, a standing or ad hoc committee elected by the faculty and charged with the function of rendering confidential advice in such situations should informally inquire into the situation to effect an adjustment if possible, and if the president of the institution, even after considering a recommendation of the committee favorable to the faculty member, expresses the conviction that a proceeding should be undertaken, action should be commenced under the procedures that follow. Except where there is disagreement, a statement with reasonable

particularity of the grounds proposed for the dismissal should then be jointly formulated by the president and the faculty committee; if there is disagreement, the president or their representative should formulate the statement.

(2) Commencement of formal proceedings.

The formal proceedings should be commenced by a communication addressed to the faculty member by the president of the institution, informing the faculty member of the statement formulated, and that, if the faculty member so requests, a hearing will be conducted by a faculty committee at a specified time and place to determine whether the faculty member should be removed from his faculty position on the grounds stated. In setting the date of the hearing, sufficient time should be allowed the faculty member to prepare a defense. The faculty member should be informed, in detail or by reference to published regulations, of the relevant procedural rights. The faculty member should state in reply whether a hearing is desired and, if so, should answer in writing, not less than one week before the date set for hearing the statements in the president's letter.

(3) Suspension of the faculty member.

Suspension of the involved faculty member during the proceedings is justified only if immediate harm to themselves or others is threatened by continuance. Unless legal considerations forbid, any such suspension should be with pay.

(4) Hearing committee.

The committee of faculty members to conduct the hearing and reach a decision should be either an elected standing committee not previously concerned with the case or a committee established as soon as possible after the president's letter to the faculty member has been sent. The choice of members of the hearing committee should be on the basis of their objectivity and competence and of the regard in which they are held in the academic community.

The committee should elect its own chair.

(5) Committee proceedings.

- (a) The committee should proceed by considering the statement of grounds for dismissal already formulated and the faculty member's response written before the time of the hearing. If the faculty member has not requested a hearing, the committee should consider the case on the basis of the obtainable information and decide whether the faculty member should be removed; otherwise, the hearing should go forward. The committee, in consultation with the president and the faculty member, should exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter set forth in the president's letter to the faculty member should be received.
- (b) The president should have the option of attendance during the hearing. The president may designate an appropriate representative to assist in developing the case, but the committee should determine the order of proof, should normally conduct the questioning of witnesses, and, if necessary, should secure the presentation of evidence important to the case.
- (c) The faculty member should have the option of assistance by counsel, whose function should be similar to that of the representative chosen by the president. The faculty member should have the additional procedural rights set forth in the "1940 statement of principles on academic freedom and tenure," and should have the aid of the committee, when needed in securing the attendance of witnesses. The faculty member or their counsel and the representative designated by the president should have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member should have the opportunity to be confronted by all

adverse witnesses. Where unusual and urgent reasons move the hearing committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as the witnesses' statements should, nevertheless, be disclosed to the faculty member. Subject to these safeguards, statements may when necessary be taken outside the hearing and reported to it. All of the evidence should be duly recorded. Unless special circumstances warrant, it should not be necessary to follow formal rules of court procedure.

(6) Consideration of hearing committee.

The committee should reach its decision in conference, on the basis of the hearing. Before doing so, it should give opportunity to the faculty member or their counsel and the representative designated by the president to argue orally before it. If written briefs would be helpful, the committee may request them. The committee may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may wait the availability of a transcript of the hearing if its decision would be aided thereby. It should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. Publicity concerning the committee's decision may properly be withheld until consideration has been given to the case by the governing body of the institution. The president and the faculty member should be notified of the decision in writing and should be given a copy of the record of the hearing. Any release to the public should be made through the president's office.

(7) Consideration by governing body.

The president should transmit to the governing body the full report of the hearing committee, stating its action. On the assumption that the governing board has accepted the principle of the faculty hearing committee, acceptance of the committee's decision would normally be expected. If the

governing body chooses to review the case, its review should be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the hearing committee should either be sustained or the proceeding be returned to the committee with objections specified. In such case the committee should reconsider, taking account of the stated objections and receiving new evidence if necessary. It should frame its decision and communicate it in the same manner as before. Only after study of the committee's reconsideration should the governing body make a final decision overruling the committee.

(8) Publicity.

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officer should be avoided so far as possible until the proceedings have been completed. Announcement of the final decision should include a statement of the hearing committee's original action, if this has not previously been made known.

3344-11-16 Attachment D to Chapter 3344-11 of the Administrative Code.

- (A) All faculty should be aware of the laws of the state of Ohio governing their conduct as it relates to their employment status. Sections 3345.22 and 3345.23 of the Revised Code state:
- (B) Section 3345.22 of the Revised Code. College student or staff member arrested for certain offenses to be afforded a hearing, suspension, or appeal.
 - (1) A student, faculty or staff member, or employee of a college or university that receives any state funds in support, thereof, arrested for any offense covered by division (D) of section 3345.23 of the Revised Code shall be afforded a hearing, as provided in this rule, to determine whether the person shall

be immediately suspended from such college or university. Such hearing shall be held within not more than five days after the person's arrest, subject to reasonable continuances for good cause shown, which continuances shall not exceed a total of ten days.

- (2) The arresting authority shall immediately notify the president of the college or university of the arrest of a student, faculty or staff member, or employee of such college or university for any offense covered by division (D) of section 3345.23 of the Revised Code. The hearing to determine whether the person shall be immediately suspended shall be held in the county where the college or university is located, before a referee appointed by the board of regents. Such referee shall be an attorney admitted to the practice of law in Ohio, but shall not be attorney for, or a faculty or staff member or employee of, any college or university. Immediate notice of time and place of such hearing shall be given or sent to such person.
- (3) The referee may administer oaths, issue subpoenas to compel the attendance of witnesses and the production of evidence, and enforce such subpoenas, as well as preserve the order and decorum of the proceedings, by means of contempt proceedings in the court of common pleas as provide by law.
- (4) The hearing shall be adversary in nature and shall be conducted fairly and impartially, but the formalities of the criminal process are not required. A person whose suspension is being considered has the right to be represented by counsel, but counsel need not be furnished for the person. Such person also has the right to cross-examine witnesses against the person, to testify, and to present the testimony of witnesses and other evidence in the person's behalf. In the absence of a waiver of the right against compulsory self-incrimination, the testimony of a person whose suspension is being considered, given at such hearing, shall not subsequently be used in any criminal proceeding against the person. The referee may require the separation of witnesses, and may bar from the proceedings

any person whose presence is not essential to such proceedings, except that members of the news media shall not be barred from such proceedings.

- (5) Upon hearing, if the referee finds by a preponderance of the evidence that the person whose suspension is being considered committed any offense covered by division (D) of section 3345.23 of the Revised Code, the referee shall order the person suspended, except that when the good order and discipline of a college or university will not be prejudiced or compromised, thereby, the referee may permit the person to return to the college or university on terms of strict disciplinary probation. Subsequent violation of the terms of the probation automatically effects a suspension. A person suspended under this rule may be readmitted pursuant to division (A) of section 3345.23 of the Revised Code. A suspension under this rule is in effect until the person is acquitted or convicted of the crime for which the person was arrested. If convicted, the person is dismissed pursuant to section 3345.23 of the Revised Code.
- (6) Upon acquittal, or upon any final judicial determination not resulting in conviction of the charges for which a person is suspended pursuant to this rule, such suspension automatically terminates, and the person suspended shall be reinstated and the record of the suspension expunged from the college or university record.
- (7) An order of a referee pursuant to this rule may be appealed on questions of law and fact to the court of common pleas of the county in which the college or university is located, within twenty days after the date of the order. If the court to which such appeal is taken determines that the good order and discipline of a college or university shall not be prejudiced, thereby, it may permit the person suspended to return to the college or university on terms of strict disciplinary probation.
- (8) A person afforded a hearing pursuant to this rule who does not appear at the hearing shall be declared suspended by the hearing office, (1970 H 1219, effective 9/16/1970.)

(C) Section 3345.23 of the Revised Code, dismissal of convicted student, faculty or staff member or employee - reinstatement.

- (1) The conviction of a student, faculty or staff member, or employee of a college or university that receives any state funds in support, thereof, of any offense covered by paragraph (D) of this rule, automatically effects dismissal from such college or university except as provided in paragraph (E) of this rule. A student dismissed pursuant to this rule may be readmitted or admitted to any other college or university that receives state funds in support, thereof, in the discretion of the board of trustees, but only upon the lapse of one calendar year following the faculty or staff members or employee's dismissal, and only upon terms of strict disciplinary probation. The contract, if any, of a faculty or staff member or employee dismissed pursuant to this rule is terminated, thereby. A faculty or staff member or employee dismissed pursuant to this section may be re-employed by any such college or university, in the discretion of the board of trustees, but only upon the lapse of one calendar year following the dismissal.
- (2) Upon conviction, a student, faculty or staff member, or employee of a college or university that receives any state funds in support thereof, of any offense covered by paragraph (D) of this rule, the court shall immediately notify the college or university of such conviction. The president, or other administrative official designated by the board of trustees, shall immediately notify such person of the dismissal. The notice shall be in writing and shall be mailed by certified mail to the person's address as shown in both the court and the university records. If such person has been suspended pursuant to section 3345.22 of the Revised Code, and not permitted to return to the college or university, the period of dismissal shall run from the date of such suspension.
- (3) No degrees or honors shall be conferred upon, no instructional credit or grades shall be given to, and no student assistance, scholarship funds, salaries, or wages shall

be paid or credited to any student, faculty or staff member, or employee, in respect of the period such person is properly under dismissal pursuant to this rule or under suspension pursuant to section 3345.22 of the Revised Code.

- (4) Without limiting the grounds for dismissal, suspension, or other disciplinary action against a student, faculty or staff member, or employee of a college or university that receives any state funds in support, thereof, the commission of an offense of violence as defined in division (A)(9)(a) of section 2901.01 of the Revised Code or a substantially equivalent offense under a municipal ordinance, which offense is committed on or affects persons or property on such college or university, or which offense is committed in the immediate vicinity of a college or university with respect to which an emergency has been declared and is in effect pursuant to section 3345.26 of the Revised Code, is cause for dismissal pursuant to this rule or for suspension pursuant to section 3345.22 of the Revised Code. Criminal cases resulting from arrests for offenses covered by paragraph (D) of this rule shall take precedence over all civil matters and proceedings and over all other criminal cases.
- (5) If a final judicial determination results in an acquittal, or if the conviction is reversed on appeal, the student, faculty or staff member, or employee shall be reinstated and the college or university shall expunge the record of the student, faculty or staff member, or employee a dismissal from the college or university records, and the dismissal shall be deemed never to have occurred.

(D) Offenses of violence referred to in division (D) of section 3345.23 of the Revised Code are as follows:

2903.01	Aggravated murder	2909.03	Arson
2903.02	Murder	2909.04	Disrupting public service
2903.03	Voluntary manslaughter	2911.01	Aggravated robbery
2903.11	Felonious assault	2911.02	Robbery
2903.12	Aggravated assault	2911.11	Aggravated burglary
2903.13	Assault	2911.12	Burglary
2903.15	Permitting child abuse	2917.01	Inciting violence

2903.21	Aggravated menacing	2917.02	Aggravated riot
2903.211	Menacing by stalking	2917.03	Riot
2903.22	Menacing	2917.31	Inducing panic
2905.01	Kidnapping	2919.22	Endangering children (only division (B) (1), (2), (3) and (4))
2905.02	Abduction	2919.25	Domestic violence
2905.04	Involuntary manslaughter	2921.03	Intimidation
2905.05	Vandalism	2921.04	Intimidation of an attorney, victim or witness in a criminal case
2905.11	Extortion	2921.34	Escape
2907.02	Rape	2923.12	Carrying concealed weapon
2907.03	Sexual battery	2923.13	Having weapons while under disability
2907.05	Gross sexual imposition	2923.35	Aiding escape or resistance to authority
2909.02	Aggravated arson	2923.161	Improperly discharging a firearm at or into a habitation, in a school safety zone, or with the intent to cause harm or panic in a school building or at a school function.

3344-12-01 Personnel policies for persons with special faculty status.

(A) Definitions.

The following are definitions of key words and phrases used in rules 3344-12-01 to 3344-12-10 of the Administrative Code.

(1) “Part-time single term instructors”

Part-time single term instructors are qualified teachers who receive contracts extending over one academic term, during which time they render specified services (e.g., teach a particular course) for specified remuneration. Their service

shall be considered to be part time.

(2) “Adjunct faculty”

Adjunct faculty are appointed to this status on a continuing basis by the provost. Nominations for appointment to adjunct faculty status shall be made by joint recommendation of a peer review committee or its equivalent and a department chairperson. The dean forwards the recommended nominations to the provost. Their services to the university and remuneration shall be determined by mutual agreement in accord with circumstances at a given time, and their service shall be considered part time.

(3) “College lecturers”

College lecturer teaching appointments are full-time appointments made by the dean, with the approval of the provost. Subject to provisions of the CSU-AAUP collective bargaining agreement, these appointments may be renewed indefinitely by the dean, with the approval of the provost. The ranks of lecturer faculty are assistant, associate, or senior college lecturer. For purposes of this section, the term “lecturer” (without a modifier) is used collectively to refer to all three categories. College lecturers shall become members of the CSU-AAUP faculty collective bargaining unit if they are reappointed after the initial fourth year review process referenced in the CSU- AAUP collective bargaining agreement. Neither the initial appointment, nor any renewals thereof, however, leads to or grants tenure.

(4) “College of law clinical professors and legal writing professors”

Clinical professors and legal writing professors in the college of law are full-time faculty, appointed as follows: Clinical professors and legal writing professors shall be appointed initially by the dean of the college of law, with the approval of the provost and the university president, for a period of one academic year with renewal for one-year periods. After the completion of at least five one-year

appointments, clinical professors and legal writing professors may be appointed to renewable five-year appointments by the university president, upon recommendation of the provost and the dean of the college of law. Neither the initial appointment, nor any renewals, shall lead to or grant tenure or promotion. (See 3344-12-06 of the Administrative Code for policies pertaining to college of law clinical professors and writing professors.)

(5) “Professor of practice”

Professor of practice teaching appointments are full-time appointments made by the dean, with the approval of the provost. Subject to the provisions of the CSU-AAUP collective bargaining agreement, these appointments may be renewed indefinitely by the dean, with the approval of the provost. The ranks of professor of practice faculty are assistant, associate or full. The initial appointment as assistant requires an appropriate graduate degree and ten years of professional experience. In addition to these qualifications, associate professors of practice and professors of practice are required to have appropriate terminal degrees. Neither the initial appointment, nor any renewals thereof, leads to or grants tenure.

(6) “Research faculty”

- (a) This category of faculty may be appointed to any department/school or college based on external funding. The function of research faculty members is to dedicate their full professional commitment to research (and associated educational activities) in their academic unit under the terms of the external grant or contract which provides their support. The salary, fringe benefits and indirect costs for these positions shall be paid from a grant, contract, or other soft money source.
- (b) Research faculty ranks are: research assistant professor, research associate professor, and research

professor. A research faculty member becomes a member of the CSU-AAUP collective bargaining unit after the faculty member completes six consecutive and complete academic years of service as a research faculty member. Neither the initial appointment of a research faculty member or any renewal thereof leads to the award of tenure.

(7) “Visiting faculty”

An appointment on a full-time but temporary basis in any faculty rank for one year, renewable for one additional year for a total of two years, whether consecutive or not. Persons holding such appointments shall not be eligible for tenure status or promotion, nor shall they be entitled to receive successive annual contracts nor any notice that their appointment shall not be continued. Persons holding such appointments may seek faculty status through appointment to the professorial ranks set forth in rule 3344-11-02 of the Administrative Code and according to the procedure set forth in this rule and paragraph (B) of rule 3344-11-03 of the Administrative Code if they satisfy the criteria of such appointment as set forth in paragraph (A) of rule 3344-11-03 of the Administrative Code.

(8) “Emeritus and emerita faculty”

Emeritus and emerita faculty statuses are distinct honors that may be conferred upon outstanding retiring faculty members by the board of trustees. They shall have the titles professor emeritus/emera, associate professor emeritus/emera and, in the college of law, the titles of clinical professor emeritus/emera or legal writing professor emeritus/emera.

(9) “Special status faculty”

Special status faculty are persons possessing one of the faculty titles listed in paragraphs (A)(1) to (A)(5) of this rule and rule 3344-12-06 of the Administrative Code. With the exception of cooperative education coordinators and

Cleveland state university students who are engaged as teaching assistants or fellows on a part-time basis, no person may teach courses for credit at Cleveland state university without regular faculty status (defined in paragraph (A) of rule 3344-11-02 of the Administrative Code) or one of the titles included in paragraphs (A)(1) to (A)(5) of this rule and rule 3344-12-06 of the Administrative Code.

(10) “Appointment”

In rules 3344-12-01 to 3344-12-08 of the Administrative Code, appointment shall mean the admission to any of the classes of special faculty status (paragraphs (A)(1) to (A)(8) of this rule) or to regular faculty status.

3344-12-02 General policies for persons with special non-bargaining faculty status.

(A) Academic freedom and tenure.

Tenure status is not conferred upon any persons who have special faculty status (i.e. those designated in paragraph (A)(1) to (A)(5) of rule 3344-12-01 and rule 3344-12-06 of the Administrative Code. They shall, nevertheless, be entitled to full academic freedom in such teaching and research as they may be doing under the aegis of the university.

(B) Professional ethics and academic responsibility.

When persons with special faculty status teach at the university or engage in research which involves students at the university, they should be guided by attachment B rule 3344-11-14 of the Administrative Code, “A Statement of Professional Ethics and Academic Responsibility”.

(C) Institutional due process.

As a principle, the university shall operate in such a way that special faculty shall enjoy freedom from arbitrary or discriminatory treatment. Special status faculty who believe they have not received

fair treatment may request a hearing before the department faculty with appeal possible to the appropriate college faculty hearing committee.

3344-12-03 Policies pertaining to part-time single term instructors.

(A) Qualifications.

Except in rare cases where an exception can be justified on academic grounds, a part-time single term instructor shall possess at least a master's degree or its equivalent in the field in which the faculty member is engaged to teach. Continuation of an appointee's services during successive (not necessarily consecutive) academic terms requires satisfactory teaching evaluations.

(B) Procedures for awarding teaching contracts to part-time single term instructor.

Candidates for positions as part-time single term instructor shall be recruited or assembled in accordance with university general employment guidelines. Department faculties (or colleges) may assign to an appropriate peer review committee or its equivalent (paragraph (I) of rule 3344-11-02 of the Administrative Code) the responsibility to review the qualifications of persons to be engaged as part-time instructors. The department chair or dean shall have discretionary authority to engage a particular part-time single term instructor for two academic semesters. Reappointment beyond the second semester is contingent upon evaluation of teaching competency.

(C) Tenure exclusion.

Service as a part-time single term instructor does not accrue tenure rights. Part-time single term instructors serve by the mutual agreement expressed in each successive contract executed and are engaged to teach at the convenience of the university.

(D) Limitation of service.

A part-time single term instructor shall not have teaching

responsibilities exceeding nine credit hours per semester, and no other responsibilities such as accrue to full-time faculty.

(E) Privileges and responsibilities.

Part-time single term instructors have the same right as regular status faculty members to attend appropriate faculty meetings, whether these are committee, departmental, college, faculty senate, or university faculty meetings, and within the requirements of good order, to debate issues.

(F) Non-renewal.

Appointment to part-time single term instructor status is predicated upon the mutual benefit derived for the university and the person appointed, especially including the opportunity for a person with special expertise to provide valued services to the profession and the community by sharing knowledge and collaborating in the search for knowledge. The appointment may not be renewed for the subsequent semester by the part-time single term instructor or the university when, in the judgment of either party, the appointment is no longer mutually beneficial.

3344-12-04 Policies pertaining to college lecturers.

Paragraph (A)(2) of rule 3344-12-01 of the Administrative Code contains certain policies pertaining to college lecturers.

3344-12-05 Policies pertaining to clinical professors.

A clinical faculty member is one who holds at least a master's degree in a professional discipline and who is an expert practitioner of that discipline. This category of faculty shall be limited in number and to selected departments subject to the provisions of the current CSU-AAUP collective bargaining unit. Eligibility for the clinical professor rank requires an appropriate terminal degree. Clinical faculty shall be members of the CSU-AAUP collective bargaining unit and are eligible for tenure.

3344-12-06 Policies pertaining to college of law clinical professors and legal writing professors.

College of law clinical professors and legal writing professors shall be appointed initially, by the dean of the college of law, with the approval of the provost and the university president, for a period of one academic year with renewal for one-year periods. After the completion of at least five one-year appointments, clinical professors and legal writing professors may be appointed to renewable five-year appointments by the university president, upon recommendation of the provost and the dean of the college of law. Neither the initial appointment, nor any renewals, shall lead to or grant tenure or promotion. The initial appointment and all renewals shall be pursuant to policies contained in paragraph (A) of this rule and procedures adopted by the college of law and approved by the provost.

(A) Procedures for appointment.

(1) Initial appointment.

Prior to an initial appointment of a clinical professor or legal writing professor, a special search committee appointed by the dean of the college of law shall convene to recommend candidates to the dean of the college of law, who will make an appointment with the approval of the provost and the university president.

(2) Subsequent yearly appointments.

Subsequent yearly appointments shall be made by the dean of the college of law after consultation with the appointee's program director (where applicable).

(3) Notice of non-renewal.

A notice of non-renewal of a clinical professor or a legal writing professor during the initial five years of service shall be in writing and in accordance with university policy governing non-bargaining unit faculty.

(4) Five-year appointments.

(a) A clinical professor or legal writing professor is

eligible to apply for an initial five-year appointment at the beginning of the fifth one-year appointments and shall, as a condition of employment beyond the current appointment, apply for a five-year appointment during the fifth yearly appointment. A clinical professor or legal writing professor who is not awarded a five-year appointment or renewal may continue to teach under one additional yearly appointment during which the faculty member shall not be eligible to apply for a five-year appointment.

- (b) The award of a five-year appointment to a faculty member carries the presumption of successive five-year appointments. Faculty members awarded five-year appointments shall be denied successive five-year appointments only for just cause, or the material modification of the program in which the faculty member teaches, or a declaration of financial exigency.
- (c) The standards and procedures governing the review and appointment process shall be maintained on file by the college of law and the provost.
- (d) Nothing within these provisions shall prevent the dean of the college of law from recommending to the president and the provost an initial five-year appointment for the retention of a director of legal writing provided the director meets the qualifications for a five-year appointment except for the time of service at Cleveland state university provision.

(5) Termination of five-year appointment.

During a five-year appointment a clinical professor or a legal writing professor may be terminated for just cause, the termination or material modification of the clinical or legal writing program in which the faculty member teaches, or a declaration of financial exigency. Termination proceedings shall be in accordance with university policy governing non-bargaining unit faculty.

(B) Privileges and responsibilities.

- (1) A clinical professor's primary obligation shall be to supervise students in one or more of the college of law's clinical courses. Clinical professors may teach other courses or undertake other administrative duties at the college of law. A legal writing professor's primary obligations shall be to teach in the college of law's legal writing and research curriculum, which shall include, but is not limited to, first year and upper level legal writing and research courses. Legal writing professors may teach other courses or undertake other administrative duties at the college of law.
- (2) Clinical professors and legal writing professors shall serve on college of law faculty committees at the discretion of the dean of the college of law. These faculty members shall not be eligible to vote on any tenure-related or promotion-related issues. Clinical professors and legal writing professors shall participate in the governance of the college of law to the extent provided in policies adopted by the college of law and shall be afforded non-compensatory perquisites reasonably similar to those provided other full-time faculty members.
- (3) Clinical professors and legal writing professors shall be eligible for emeritus status under rule 3344-12-09 of the Administrative Code with the rank of clinical professor emeritus or emerita or legal writing professor emeritus or emerita.

(C) Limitations.

Rule 3344-12-06 of Administrative Code shall apply to the college of law only and shall not set a precedent.

3344-12-07 Policies pertaining to adjunct professors.

(A) Procedures for Appointment

Nominations for appointment to adjunct faculty status shall be made by joint recommendation of a peer review committee or its

equivalent and a department chairperson. Nominations recommended by the dean shall be forwarded by him or her to the provost who shall appoint all nominees acceptable to him or her. Nominations should specify the appropriate rank (assistant, associate, or full), depending on qualifications.

(B) Procedures for Termination of an Adjunct Faculty Appointment

Recommendations for the termination of an adjunct faculty member's appointment 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 recommendations to the provost. The provost shall consider the recommendations and forward them, together with personal recommendations, to the president for action.

(C) Privileges and Responsibilities

Since adjunct faculty meet essentially the same standards as regular status faculty, they may, upon mutual agreement, be assigned teaching and research duties comparable in kind to those assigned regular status faculty. Their service is considered to be part-time service; however, they shall not be assigned duties exceeding one-half of the duties of a full-time faculty member. Assignment of mutually agreed upon duties shall be at the convenience of the university. Adjunct faculty members have the same right as regular status faculty members to attend appropriate faculty meetings, whether these are committee, departmental, college, Faculty Senate, or university faculty meetings, and within the requirements of good order, to debate issues. They may serve on faculty committees and vote in faculty meetings only when provided for in relevant bylaws.

(D) Joint Appointment

Persons may be granted joint adjunct appointments to two or more departments, colleges, or academic units through the procedures for appointment in each such department, college, or academic unit.

(E) Graduate College Membership

Adjunct faculty members may be selected for and removed from the

faculty of the College of Graduate Studies according to the procedures establish in the Bylaws of the College of Graduate Studies.

(F) Change of Status

With mutual agreement between the University and an adjunct faculty member, the adjunct faculty member may be appointed to regular faculty status, following procedures for any new appointment.

(G) Tenure Rights

Service as an adjunct faculty member does not accrue tenure rights such as the accumulation of tenure probation time served.

(H) Termination

Appointment to adjunct faculty status is predicated upon the mutual benefit derived for the university and the person appointed, especially including the opportunity for a person with special expertise to provide valued services to his or her profession and the community by sharing knowledge and collaborating in the search for knowledge. The appointment may be terminated by the adjunct faculty member or the University when, in the judgment of either party, the appointment is no longer mutually beneficial.

3344-12-08 Policies pertaining to research professors.

(A) Procedures for appointment.

The search process and the initial appointment shall be at the university's administration sole discretion and design. The faculty of the members of the department/school or college without departments shall approve the initial appointment only. The dean of the academic unit shall forward their recommendation regarding the appointment to the provost who shall make the final decision.

(B) Procedure and criteria for rank and promotion.

- (1) Research faculty shall possess the terminal degree in accord with the applicable provisions in the current collective bargaining agreement.
- (2) Minimum standards for appointment at each faculty rank, in addition to the criterion of an earned doctorate specified above:
 - (a) Research assistant professor. Appointment to the rank of assistant professor shall be based on evidence indicating a record of effectiveness and achievements in conducting research or creative activities.
 - (b) Research associate professor. Appointment or promotion to the rank of associate professor is based on evidence that the candidate possesses a sustained record of research or creative activities. In addition, the candidate shall demonstrate independence in the attainment of funding.
 - (c) Research professor. Appointment or promotion to the rank of professor is based on evidence of an outstanding record as a scholar or creative artist. In addition, the candidate shall be self-funded.
- (3) An individual seeking promotion shall submit a dossier for evaluation by the appropriate peer review committee ("PRC") (the departmental PRC in colleges which have opted for departmental peer review or the college PRC in colleges which do not use department PRCs) demonstrating how the candidate satisfies the criteria for promotion. The appropriate PRC shall solicit a letter of evaluation and recommendation from the principal investigator(s) of the grant(s) supporting the candidate. The departmental PRC in colleges, which have opted for departmental peer review, the department chair/school director, and the college PRC committee shall review the dossier and advise the dean on the promotion. The dean shall forward their recommendation to the provost, who makes the decision on whether to promote the candidate.

(C) Tenure rights.

Neither the initial appointment nor any renewal, thereof, leads to the award of tenure.

(D) Rights and responsibilities.

A research faculty member is not a member of the CSU-AAUP collective bargaining unit until and, unless the faculty member completes six consecutive and complete academic years of service as a research faculty member. However, at the time of the initial appointment, the following provisions of the current (August 15, 2011 through August 15, 2014) collective bargaining agreement shall apply: articles 10 and 11.1 (academic freedom), 11.2 (professional ethics), 22 (patents and copyrights), 23.3, 23.4 and 23.5 (laboratory space), and 26 (personnel files).

3344-12-09 Policies pertaining to visiting faculty.

(A) Qualifications.

Appointment to any visiting faculty rank may only be granted to persons who meet the corresponding standards for the regular academic rank (see paragraph (A) of rule 3344-11-03 of the Administrative Code.)

(B) Procedures for appointment.

Nomination for appointment shall be made by joint recommendation of a peer review committee or its equivalent (see paragraph (I) of rule 3344-11-02 of the Administrative Code) and a department chair if the specific academic unit is organized into departments. Accompanied by recommendations from the dean and the provost, each nomination for appointment shall be forwarded to the president who shall recommend to the board of trustees for appointment all nominees acceptable to the president.

(C) Conditions of continuing service.

Appointment to visiting faculty rank is customarily for a period of

one year. Visiting faculty are not eligible for promotion in rank, although subsequent appointment to regular faculty status may be at higher rank. Since each visiting faculty member has a nonrenewable one-year appointment, a termination during the contract term is really a dismissal and shall be for adequate cause (see paragraph (B) of rule 3344-11-06 of the Administrative Code) or medical reasons (see paragraph (E) of rule 3344-11-06 of the Administrative Code) and be pursuant to the procedures set forth in paragraph (C) of rule 3344-11-06 of the Administrative Code.

(D) Privileges and responsibilities.

Since visiting faculty members meet the same standards as regular status faculty, they may be assigned teaching and research duties comparable in kind to those assigned to persons holding regular faculty status. Visiting faculty members have the same rights as regular status faculty members to attend appropriate faculty meetings, whether these are committee, departmental, college, faculty senate, or university faculty meetings, and, within the requirements of good order, to debate issues. They may serve on faculty committees and vote in faculty meetings unless specifically prohibited by the relevant bylaws.

(E) Joint appointment.

Persons may be granted joint visiting faculty appointments to two or more departments, colleges, or academic units through the procedures for appointment in each such department, college, or academic unit.

(F) Graduate college membership.

Visiting faculty members 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 college of graduate studies.

(G) Change of status.

With mutual agreement between the university and a visiting faculty member, the visiting faculty member may be appointed to a different category of faculty status.

3344-13-01 Bylaws of the faculty senate.

(A) College faculties. Membership and bylaws

Each college, except the college of graduate studies, shall have a college faculty constituted as follows: the president of the university; the chief academic officer; the dean, associate deans, and assistant deans of the college; and all persons assigned to the college with the faculty rank of professor, associate professor, clinical associate professor, assistant professor, clinical assistant professor, instructor, college assistant lecturer, college associate lecturer, college senior lecturer, research assistant professor, research associate professor, research professor, college of law clinical professor, college of law legal writing professor, professor of practice, associate professor of practice, assistant professor of practice and emeritus. In cases involving doubt as to the proper college or colleges to which a person is assigned, assignment will be made by the chief academic officer after obtaining the recommendation of the deans concerned.

(B) Governance Rights of College Faculty

With the exception of emeritus faculty, all members of a college faculty shall be eligible to participate in all aspects of faculty governance at all institutional levels (academic unit, college, and university), except for PRC service, which is open solely to tenured faculty members.

(C) Each college shall establish a procedure for ensuring student participation in college committees.

(D) The college of graduate studies shall have a college faculty constituted as follows: the president of the university, the chief academic officer; the dean, associate deans, and assistant deans of the college; all college deans; all full-time and adjunct faculty members of the university regularly engaged in graduate activities who apply for admission and are appointed to the graduate faculty by the dean of the college of graduate studies. The dean of the college and the graduate council shall establish standards for admission, continuance, resignation, and/or removal for cause of any member of the graduate faculty from the college of graduate

studies. The dean shall maintain a current list of names of the graduate faculty members. Such standards, as well as the bylaws of the college, shall be approved by the faculty senate.

- (E) A faculty organization and bylaws consistent with these bylaws shall be approved by each college faculty. It is the responsibility of the college faculty affairs committee or its equivalent to encourage consistency between college and university bylaws. The dean shall notify the secretary of the faculty senate as to the organization plan and bylaws adopted by the college faculty and any subsequent changes made in them. Approved college bylaws and personnel policies will be maintained in updated form by the secretary of the faculty senate.

- (F) Calling meetings.

The college faculty shall meet upon call of the dean of the college. Additional means of calling meetings may be established by the college faculty.

- (G) Chairperson.

The dean of the college shall either be chairperson of the college faculty or make provision for a chairperson to be elected by the college faculty.

- (H) Powers.

The several college faculties shall have the following general powers:

- (1) To adopt, alter, or abolish requirements for admission to the college subject to the approval of the faculty senate (see paragraph (F) of rule 3344-13-03 of the Administrative Code.)
- (2) To adopt, alter, or abolish courses and curricula subject, in certain cases, to the approval of the faculty senate (see paragraph (E) of rule 3344-13-03 of the Administrative Code.)

- (3) To create and abolish schools, bureaus, and departments of instruction within the college subject to approval of the faculty senate (see paragraph (E) of rule 3344-13-03 of the Administrative Code.)
- (4) To adopt and abolish academic degrees administered by them subject to the approval of the faculty senate (see paragraph (E) of rule 3344-13-03 of the Administrative Code.)
- (5) To recommend to the university curriculum committee and the faculty senate any changes in the subject matter requirements within the college, for graduation from the university or for the awarding of professional or advanced degrees (see paragraph (E) of rule 3344-13-03 of the Administrative Code.)
- (6) To provide for the transaction of the business of the college as provided by the established precedents of the college and approved college bylaws and personnel policies.

3344-13-02 The faculty senate.

- (A) Membership categories (revised June 28, 2011). There shall be a faculty senate constituted as follows:
 - (1) Elected members as follows: two representatives of the teaching faculty from the college of graduate studies. For all other colleges*: colleges with fewer than twenty-five full-time faculty members eligible to serve as elected members of faculty senate shall have one representative for each five eligible faculty members; colleges with twenty-five or more full-time faculty eligible to serve as elected members of faculty senate shall each have five representatives, with one additional representative for each such twenty-five members in excess of twenty-five. The professional librarians shall have one voting representative elected from and by their membership.
 - (2) *For the purpose of senate representation, the free-standing

school of nursing is viewed as a “college.”

- (3) Corresponding members: the president of the university, the chief academic officer, the deans of each college, and other appropriate administrators (not to exceed ten in number) designated by the president of the university; two representatives from the professional staff organizations, two retired faculty association representatives, and four student representatives shall be corresponding members with the right to participate in discussions but without the right to vote. Administrators not currently corresponding members may be called to faculty senate meetings for information purposes.

(B) Selection of elected members.

The elected members shall be chosen in the following manner:

- (1) Eligibility. Only a member of a college faculty (paragraph (A) of rule 3344-13-01 of the Administrative Code) shall be eligible to vote for and act as a representative for the college. A member of more than one college faculty shall be eligible to represent only one, except that a member of the teaching faculty of graduate studies shall be eligible to act as a representative from either this college or the other college to which they are assigned, but not both. Only those members of a college faculty other than the president, the chief academic officer, the dean, associate deans, assistant deans, vice provosts, associate provosts, assistant provosts, and executive assistants to the president shall be eligible to serve as elected college representatives to the faculty senate.
- (2) Representatives shall serve two-year terms and not more than three terms consecutively. In the first year's election, half the representatives from each college shall serve only a one-year term. Those receiving the larger number of votes will in the initial election serve two years. The initial one-year term shall count as one of the three consecutive terms for which a representative may serve.
- (3) Each college faculty shall set up a procedure for nominating

at least twice the number of representatives to be elected. The college shall select the required number of representatives by mail ballot to be supervised by a body designated by the college faculty. This election shall take place during the spring semester of each academic year on a schedule such that the balloting is completed, counted, and senators selected by March first. Members elected take office on September first.

- (4) When faculty senate representative positions are vacated during the term of office, the representatives to faculty senate from the college concerned shall elect temporary replacements. At the next regular election, each vacancy shall be filled by an election for the unexpired term. A person so elected to fill out one year of an unexpired term shall be considered as having served one of the three consecutive terms for which a representative may serve.

(C) Selection of professional representatives.

The corresponding members representing the two professional staff organizations shall be chosen in the following manner:

- (1) Eligibility. Only professional members of the two professional staff organizations shall be eligible to act as corresponding non-voting representatives for the professional members of the professional staff organizations in the faculty senate.
- (2) Professional representatives shall serve two-year terms and not more than two terms consecutively. Upon ratification of this provision those eligible to vote according to paragraph (C)(1) of this rule will elect two members from each of the two professional staff organizations, one of each organization as determined by lot shall serve two years, the other of each organization only one. The initial one-year term shall count as one of the two consecutive terms for which a representative may serve. Each professional organization shall set up a procedure for nominating at least twice the number of representatives to be elected. They shall select the required number of representatives by mail ballot

to be supervised by a body designated by the total membership of each group. Election shall take place during the spring semester of each academic year. Members elected take office on September first (revised February 27, 2002.)

- (3) Faculty senate positions (paragraph (C)(2) of this rule) vacated during term of office will be filled until the next election by appointment by the academic steering committee of faculty senate from among those eligible. At such next election each vacancy shall be filled by an election for the unexpired term.

- (D) Selection of retired faculty association representatives.

The two corresponding non-voting members of the retired faculty association shall be selected according to a procedure that is determined by the association. Members selected take office on September first, (revised February 27, 2002.)

- (E) Selection of student representatives.

The four student corresponding non-voting members shall be appointed by the student appointments board for terms of one year each. Such students shall have earned forty-five credit hours and shall have a GPA of at least 2.50 for all credit hours earned. No student may be appointed unless an adequate and timely notice requesting student applications appears in student publications. Vacancies in student membership on faculty senate occurring during the term of office shall be filled by the student appointments board for the remaining term of service when one full semester or longer (summer term not included) remains of his or her term of service.

- (F) Faculty senate quorum.

A majority of the voting members of the faculty senate shall constitute a quorum.

- (G) Faculty senate officers.

The faculty senate shall be served by three officers chosen from its elected membership (paragraph (A)(1) of this rule). These three

faculty senate officers shall be senate president, the senate vice president, and senate secretary.

- (1) Senate president's duties and responsibilities. The faculty senate president shall:
 - (a) Preside at all meetings of the faculty senate;
 - (b) Preside at all meetings of the academic steering committee;
 - (c) Officially inform in writing the university president or other appropriate administrative officers of the formal transactions of the faculty senate;
 - (d) Officially represent the interests of the faculty as a faculty representative to the board of trustees of Cleveland state university;
 - (e) Informally represent the interests of the faculty to university administrators and, when appropriate, to other intra-university and extra-university agencies;
 - (f) Manage the faculty senate administrative office (paragraph (G) of this rule);
 - (g) And perform such other duties as may be assigned by these bylaws and by actions of the faculty senate.
- (2) Senate vice president's duties and responsibilities. The faculty senate vice president shall:
 - (a) Preside at meetings of the faculty senate and the academic steering committee in the absence of the senate president;
 - (b) Assume all of the duties of the senate president whenever they are absent from campus or otherwise incapacitated by illness or injury for more than two consecutive weeks;
 - (c) And perform such other duties as may be assigned by

these bylaws, by the senate president, and by actions of the faculty senate.

(3) Secretary's duties and responsibilities. The faculty senate secretary shall:

- (a) Supervise the preparation and distribution of the agenda for faculty senate meetings to all members at least one week prior to all scheduled meetings;
- (b) Supervise the preparation and distribution of the minutes of the meetings of the faculty senate. Such minutes shall be distributed within ten days following faculty senate meetings.
- (c) Conduct all university-wide faculty elections, provide timely notice to college faculties of needed college nominations for appointments and elections, and receive notification of the results of all collegewide faculty elections.
- (d) Serve as the archivist of important faculty senate documents, including minutes, correspondence, reports, and similar documents;
- (e) And perform such other duties as may be assigned by the bylaws, by the senate president, and by actions of the faculty senate.

(H) Election of officers (revised September 20, 2007).

- (1) Elected members of the faculty senate who have served as a chair of a standing faculty senate committee or as an elected member of the faculty senate for at least one year and who hold tenure shall be eligible for election to the offices of faculty senate president, vice president, or secretary. Elections for the offices of president and secretary normally shall be held in even years and for vice president in odd years, except that any vacancy in any of the three offices shall be filled by election during the spring semester of that academic year. (revised October 24, 2001)

- (2) The terms of office for all three positions shall commence at the start of the fall semester subsequent to the spring election and shall continue for two years, with no more than two consecutive terms to be served by any faculty member in any single office. Outgoing senate officers will work with officers-elect during the summer semester after the election to ensure a smooth transition into the new academic year.
- (3) The procedures governing regular elections shall be as follows:
 - (a) Immediately following the election of senators each year (to be completed no later than March first, per paragraph (B)(3) of this rule), the faculty senate president shall appoint three elected members of the academic steering committee, each representing a different college, to serve as the nominating committee. This nominating committee shall nominate of its own motion up to two candidates for each of the offices to be filled. The nominating committee shall add to the slate of nominees' any and all nominations by petition, signed by at least five elected members serving on the faculty senate in the following academic year and received by the nominating committee by April first (revised September 12, 2008).
 - (b) The nominating committee shall determine the willingness of proposed candidates to serve in advance of entering their names into nomination. Each person so nominated shall submit concurrently a brief biographical sketch and may contribute a brief voluntary statement.
 - (c) At the April steering committee meeting the nominating committee shall provide faculty senate members with the final slate of candidates for each office to be filled. Under each candidate's name shall be the brief biographical sketch and, if received, the candidate's statement.

- (d) From their final slate of candidates, the nominating committee will organize a ballot of senators continuing in the following year and senators-elect. Elections shall be by a majority of the votes cast. In the event that a majority is not received by any candidate, the two candidates receiving most votes will be retained and another vote shall be conducted.
- (e) Elections must be completed by the final faculty senate meeting of the spring semester, where results will be announced. President-elect, vice-president-elect, and secretary-elect will have the opportunity to work with outgoing executive committee members in order to provide a smooth transition from one year to the next.

(I) Faculty senate administrative office.

To assist the faculty senate officers, committee chairpersons, members, and others, a faculty senate administrative office shall be established. This administrative office shall be staffed adequately by the chief academic officer with a secretary and appropriate office facilities. The three officers shall be accorded released time commensurate with their responsibilities.

(J) Faculty senate meetings.

Written notice of the time and agenda of all meetings of the faculty senate shall be given to members of the faculty senate by the faculty senate secretary approximately one week in advance of the meeting. The faculty senate shall schedule a meeting at least once each month from September through May. Meetings in addition to the regular monthly meeting may be held on call of the faculty senate president or on the written request to the faculty senate secretary of six elected members of the faculty senate. Meetings shall be open to all members of the university community. Visitors from outside the university may attend by permission of the faculty senate.

(K) Faculty senate duties and responsibilities. The faculty senate shall have the duties and responsibilities to:

- (1) Initiate educational and academic policies of the university. The faculty senate shall have the authority to designate ad hoc committees for this purpose and to act upon reports from any university committee to the extent that the academic policies of the university are affected. There shall be standing committees of the faculty senate as specified in these bylaws (rule 3344-13-03 of the Administrative Code).
 - (2) Adopt rules to effectuate the educational and academic policies of the university.
 - (3) Bring up for consideration proposals on matters pertaining to the general welfare of the university, including any parts of it such as faculty, students, or administrative units.
 - (4) Make recommendations to the administration relative to buildings, budget priorities, and new proposals and developments.
 - (5) Act upon all matters of routine faculty business in pursuance of already established university policies.
 - (6) Elect members to the equal opportunity hearing panel. Four of the total of twelve faculty members shall be elected each year for a three-year term. The election shall take place in the spring semester of each academic year.
 - (7) Summaries of the actions of the faculty senate shall be sent to all members of the university faculty and professional members and student members of faculty senate within approximately fifteen days following the meeting.
- (L) Faculty senate voting (revised September 20, 2007).

Issues brought before the faculty senate shall be decided by a majority of members present and voting, except that members of Senate standing committees shall be elected by plurality vote. Voting shall be by voice or show of hands, except that a secret ballot may be taken by a majority vote of those present and voting.

(M) Faculty senate procedures.

All meetings, except as otherwise provided for by the faculty senate, shall be conducted according to the most recently revised edition of Robert's Rules of Order.

(N) Faculty senate attendance.

A faculty senator who cannot attend a senate meeting shall provide notice to the faculty senate secretary no fewer than twenty-four hours in advance of the meeting. Failure to provide such notice will constitute an unexcused absence for the senator, to be recorded by the faculty senate secretary. If a senator accumulates two unexcused absences during an academic year, the faculty senate secretary will inform the caucus of the college represented by the senator of the absenteeism. If a senator has been declared an absentee, the college caucus will have the option to replace the absentee senator using the temporary election provisions described in paragraph 3344-13-02(B)(4) of the Administrative Code.

3344-13-03 Standing committees.

(A) Committee names.

The following committees shall be standing committees of the faculty senate.

- (1) Academic steering committee
- (2) University curriculum committee
- (3) Admissions and standards committee
- (4) University faculty affairs committee
- (5) Student life committee
- (6) Committee on athletics
- (7) Diversity and inclusion committee
- (8) Library committee
- (9) Graduation, convocation, and assembly committee
- (10) Committee on academic space
- (11) Academic technology committee
- (12) University personnel committee
- (13) University petitions committee

- (14) Budget and finance committee
- (15) Electronic learning committee
- (16) Undergraduate student success committee

(B) Committee membership.

- (1) The terms of office of faculty members of all standing committees shall begin on September first and terminate on August thirty-first and those of student members shall begin on the first day of the summer term and terminate on the last day of the spring semester.
- (2) The regularly appointed or elected faculty members of all standing committees, except the academic steering committee, shall serve a term of two years. No appointed or elected member shall serve more than two consecutive terms on any committee other than on those committees in which the chairperson serves on the academic steering committee. In those cases, members may serve three consecutive terms so long as there would be no more than 50% of the members in their third term. Provision shall be made for staggering the membership so that continuity is provided. In staggering the membership, the one-year appointments or elections shall count as one term of the two-term or three-term consecutive limit (paragraph (D)(1) of this rule).
- (3) For the purposes of representation on committees, freestanding schools are treated as colleges.
- (4) Student members of standing committees shall be appointed by the student appointments board for terms of one year each and may be reappointed for a second term. Such students shall have earned forty-five credit hours and shall have a GPA of at least 2.50 for all credit hours earned. No student may be appointed unless an adequate and timely notice requesting student applications appears in student publications.
- (5) A person may serve on no more than two standing committees at any one time and then only if one is the academic steering committee or the university personnel

committee. No person may serve concurrently on the university faculty affairs committee and the university personnel committee or the university peer review committee. If the chairperson of any standing or ad hoc committee to which faculty members are appointed by the academic steering committee is not an elected member of faculty senate, designation as chairperson thereby makes the chairperson an ex officio limited member of faculty senate so long as the faculty member is chairperson of that committee. This limited membership includes only the right to introduce and discuss motions from the standing or ad hoc committee of which the faculty member is chair. This limited membership does not include any other rights, such as the right to vote or to be included in quorum computations.

- (6) In the event of the death, resignation, or leave of an appointed or elected member of a standing committee, the member shall be replaced for the remaining term of service when one full semester or longer (summer term not included) remains of the member's term of service. Such replacement shall be considered as having served one term of the two-term consecutive limit if a faculty member serves as a replacement for one year or more. Ordinarily, faculty on leave may be temporarily replaced by a faculty member from that faculty member's college, if such replacement is needed. Appointed committee members shall be replaced by the academic steering committee; elected committee members shall be replaced by the faculty senate representatives from the college to which that position is allocated. In the event that a vacancy shall occur on the university personnel committee for which a replacement is necessary by the terms of this paragraph, the replacement shall be chosen by election in the faculty senate if time permits, otherwise by the academic steering committee, from at least two nominees identified by the senate members from the college to which the position is allocated.

(C) Annual reports.

The chairperson of each of the standing committees other than the graduation, convocation, and assembly committee, the academic

steering committee, and the university personnel committee, shall make at least one annual report to the faculty senate.

(D) Academic steering committee.

- (1) The committee shall consist of the senate president, serving as chairperson, the senate vice president, the senate secretary, one elected member of the faculty senate from each of the colleges except the honors college and the college of graduate studies; for each five elected members to faculty senate beyond five, each college shall have an additional elected member of faculty senate on the committee. The elected member(s) to serve on the committee from each college shall be chosen promptly by those elected representatives from the college on the faculty senate who are entitled to membership on the faculty senate for the upcoming year. Elected members serve on the academic steering committee for a term of one year from September first to August thirty-first. Five other faculty members serve ex officio as voting members on the academic steering committee by virtue of their positions as chair of the budget and finance committee, the admissions and standards committee, the university curriculum committee, the university faculty affairs committee, and the undergraduate student success committee. These five members serve only during their terms as chairs of their respective standing committees. The elected faculty representative to the board of trustees shall serve as an ex officio non-voting corresponding member.
- (2) The president of the university and the provost of the university shall be ex officio, non-voting, corresponding members of the committee. The senate secretary shall serve as secretary of the committee.
- (3) The functions of the committee are:
 - (a) To appoint such faculty members of all other standing committees of the faculty senate as are designated appointed members in these bylaws; to appoint ad hoc committees of the faculty senate; and

to designate the chairpersons of all committees to whom it appoints members. Such designated committee chairpersons shall have, as a result of their designation, ex officio limited membership on faculty senate in accordance with paragraph (B) of this rule above. Eligibility to be appointed members of each committee is described in the section relating to that committee. The names of the members of each standing committee shall be reported to the senate secretary.

- (b) To prepare the agenda for faculty senate for distribution by the senate secretary.
- (c) To take such action regarding affairs of faculty senate as may be necessary between meetings.
- (d) To advise the president and the faculty senate on the committee structure of the faculty organization.
- (e) To serve as the informal hearing committee specified in the procedural standards in faculty dismissal proceedings with the responsibilities there specified (see rule 3344-11-15 of the Administrative Code.)
- (f) To serve as the committee of the faculty senate that consults with the administration regarding matters of strategic planning.

(E) University curriculum committee.

- (1) The committee shall consist of the chief academic officer and the director of university libraries or their representatives and the university registrar as ex officio corresponding members; one appointed member from each of the colleges other than the honors college, the college of liberal arts and social sciences and the college of graduate studies; two appointed members from the college of liberal arts and social sciences, one in each of two areas: humanities and social sciences; one appointed member from the graduate council; and two student members.

- (2) The functions of the committee are:
- (a) To make recommendations to the faculty senate concerning the establishment, inclusion by merger, alteration, and abolition of: all curricula offered by the university; all degrees and certifications conferred under authority of the university; all colleges, departments, schools, and bureaus.
 - (b) To make recommendations to the faculty senate on certain proposals from the various colleges respecting courses and curricula. These certain proposals are those affecting a course or curriculum outside the college making the proposal and those proposals setting up a new curriculum.
 - (c) To make recommendations to the faculty senate upon proposals from the various colleges respecting academic degrees (see paragraph (G)(4) of rule 3344-13-01 of the Administrative Code). These recommendations to the faculty senate shall be made only after notice thereof, in at least abbreviated form, has been given to the university organization. Failure of the curriculum committee to act or to submit its recommendations shall not deprive the faculty senate of power to review these proposals.
 - (d) To make recommendations to the faculty senate upon proposals from the various colleges respecting subject-matter requirements for graduation (see paragraph (G)(5) of rule 3344-13-01 of the Administrative Code.) To recommend to the faculty senate changes in all university subject-matter requirements for graduation.
 - (e) To conduct such investigations and appoint such committees as are reasonably necessary to carry out its responsibilities under these bylaws.
- (F) Admissions and standards committee.

- (1) The committee shall consist of a designee from the provost's office, a representative of the university registrar's office, and the deans (or designees) of two colleges as ex officio corresponding members. Voting members shall consist of one appointed member from each of the colleges, except the honors college and the college of graduate studies, one appointed member from the graduate council, and two student members. The two deans are to be appointed by the academic steering committee and shall serve two-year terms on a staggered basis so that only one dean is appointed each year. The academic steering committee shall make their appointments in such a way that all deans of colleges serve on the committee on a rotating basis and with as nearly equal frequency as possible.
- (2) The functions of the committee are:
 - (a) To make recommendations to the faculty senate on policies and practices pertaining to grading, the academic standing of students, and proficiency standards for graduation and advanced degrees.
 - (b) To establish policies and procedures for handling student academic misconduct.
 - (c) To recommend to the faculty senate any needed changes in all university admissions rules.
 - (d) To review changes in the entrance requirements proposed by any of the colleges and make its recommendations concerning them to the faculty senate (see paragraph (G)(1) of rule 3344-13-01 of the Administrative Code.)
 - (e) To act as an advisory council to chief university officer for enrollment management and services upon all problems arising in connection with their duties.
 - (f) To work with the administration in all matters

concerning the academic calendar and the scheduling of classes.

- (g) To review the annual report of the university petitions committee, and make recommendations to the faculty senate concerning observed trouble points.
- (h) The annual reports of this committee shall include a report on the administration of academic standards during the previous year; a report on admissions data pertaining to the fall entering class of each college; and a report on the performance of the class admitted a year earlier.

(G) University faculty affairs committee.

- (1) The committee shall consist of the chief academic officer as ex officio corresponding member and six members elected from the full-time teaching faculty by the elected members of the faculty senate. This election shall take place in the spring semester of each academic year. At least one member of the committee shall be a member of the faculty senate. No member of the university faculty affairs committee may serve concurrently as a member of the university personnel committee or the university peer review committee. The committee shall select its own chairperson.
- (2) The functions of the committee are:
 - (a) To review and evaluate the tenure regulations set forth in rule 3344-11-03 of the Administrative Code and report to the faculty senate any recommendations for modifying them.
 - (b) To hear all cases for exception to the tenure regulations for non-bargaining unit faculty and recommend appropriate action to the chief academic officer.
 - (c) To review procedures to be followed in

implementing rule 3344-11-06 of the Administrative Code dealing with the formal disciplining of a faculty member or the dismissal of a faculty member for the college of law and non-bargaining unit faculty and to recommend changes to the faculty senate.

- (d) To serve as the formal hearing committee specified in the procedural standards in faculty dismissal proceedings with the responsibilities there specified (see rule 3344-11-06 of the Administrative Code) and as a hearing committee for all other grievances related to faculty personnel policies for non-bargaining unit faculty. In the event that the faculty affairs committee has already been concerned in hearing a faculty grievance which bears upon subsequent dismissal proceedings against the faculty member, an ad hoc committee shall serve as the formal hearing committee in the dismissal proceedings for that case. The ad hoc committee shall be elected by faculty senate in the same way and with the same composition as specified for the faculty affairs committee, with due regard for the qualifications set forth in rule 3344-11-15 of the Administrative Code. No person previously involved with the faculty grievance shall be eligible for election to the ad hoc committee.
- (e) To study and evaluate all other personnel policies relating to the faculty and make recommendations to the faculty senate or the AAUP as appropriate. Illustrative areas are promotion, salary, leaves, outside work for pay, military service, academic freedom, insurance and other fringe benefits, parking, teacher rating scales, and retirement.
- (f) To serve as a body for the ongoing evaluation of the faculty personnel policies and make recommendations, when appropriate, to the faculty senate. This committee shall receive by reference all proposed amendments to the bylaws. It shall publish the bylaws, keep them up to date and republish them

at such intervals as may be desirable. Recommendations concerning the bylaws shall be sent to each member in advance of presentation to the faculty senate and notice shall be given of the meeting of faculty senate at which the recommendations are to be reported for action.

- (g) To hear all misconduct charges against faculty members arising under paragraph (A) of rule 3344-11-06 of the Administrative Code, such hearings to conform to the procedures given in paragraph (A) of rule 3344-11-06 of the Administrative Code, provided that adequate provision shall have been made for the informal, voluntary adjustment of the issue or issues so as to permit the matter to be terminated by mutual consent. To decide in conference, on the basis of the hearing, whether the alleged misconduct warrants a recommendation of disciplinary action. A finding of disciplinary action shall require the approval of the board of trustees to take effect, and the accused shall have full recourse to law, thereafter.

(H) Student life committee.

- (1) The committee shall consist of the chief officer for student affairs (or designee) and a representative from the appropriate office of inclusion and multicultural engagement as ex officio corresponding members. Voting members shall include six appointed members of the full-time faculty and six appointed members from the student body.
- (2) The functions of the committee are:
 - (a) To recommend to the faculty senate proposed legislation affecting student life and activities.
 - (b) To make recommendations to the chief officer for student affairs in the area of the officer's administrative responsibilities.

- (c) To supervise student publications.
- (d) To supervise student organizations. In particular, any group of students desiring to organize and be recognized as a university organization shall obtain permission from the committee.
- (e) To serve as an advisory body in the coordination and development of the various student personnel services.
- (f) To recommend to the faculty senate policies regarding financial aid, counseling, and special educational services, including cooperative education.

(I) Committee on athletics.

- (1) The committee shall consist of the director of athletics, the faculty representative to the NCAA as ex officio corresponding member, six appointed members of the full-time faculty, and three student members.
- (2) The functions of the committee are to develop policy governing intercollegiate athletics with approval of the faculty senate on matter of significant importance. This policy shall cover schedules, eligibility, awards, ticket distribution, and public and campus relations of the athletic program and shall serve to guide the administration of intercollegiate athletics by the director of athletics.

(J) Diversity and inclusion committee.

- (1) The committee shall consist of the chief diversity officer (or designee) as ex officio member, five faculty members elected by the senate and one student member. The committee will elect a member to sit on the president's council on diversity.
- (2) The function of the committee is to help the senate develop policies sensitive to the need for diversity on campus. The

charge includes:

- (a) To monitor the overall functioning of the relevant university offices connected with minority affairs, with special emphasis on coordination and communication among these offices.
- (b) To advise senate on the state of relations among diverse groups on campus.

(K) Library committee.

- (1) This committee shall include the director of the university libraries and the director of the law library as ex officio corresponding members. Voting members shall include one full-time faculty member from each of the colleges excluding the law college, two professional librarians, and two student members.
- (2) The functions of the committee are:
 - (a) To serve as an advisory group to the director of university libraries and the director of the law library, and to recommend to faculty senate appropriate policies for the delivery of library media services.
 - (b) To assist the director of the university libraries and the director of the law library in the interpretation of services to the university community.
 - (c) To express the faculty concerns about the university libraries to appropriate university administrative officers.

(L) Graduation, convocation, and assembly committee.

- (1) The committee shall consist of seven appointed faculty members, four members from the student body, and three corresponding ex officio members appointed by the president from the administration. Faculty appointments shall provide the following college representation: one

faculty member each from the colleges of business, education, engineering, liberal arts and social sciences, science and health professions, and urban affairs and one from the school of nursing.

- (2) The functions of the committee are:
 - (a) To recommend three faculty members, one of them being chairperson of this committee, and one student to serve on the university honorary degree committee and encourage all faculty to nominate worthy candidates for consideration of honorary degrees.
 - (b) To make recommendations to the faculty senate on a policy for university graduation and convocation ceremonies, including such items as scheduling, location, and format.
 - (c) To make recommendations to the faculty senate on policies and procedures for all university lectures and other all-university programs. All policies shall be filed with the senate secretary.
 - (d) To recommend annually to the university president an appropriation to cover the expenses of such all-university lectures and programs.
- (3) The committee's jurisdiction is limited to university-wide events and therefore does not include involvement in programming sponsored by individual colleges or units of the university.

(M) Committee on academic space.

- (1) The committee shall consist of a representative from the office of facilities services, plus one faculty member from each college, and two student members.
- (2) The functions of the committee are:
 - (a) To monitor the fitness of existing classrooms for

educational use and to assist physical plant in rectifying problems in specific areas.

- (b) To evaluate the suitability of proposed classroom space for academic use.
- (c) To oversee policies on classroom allocation and evaluate their effectiveness.

(N) Academic technology committee.

- (1) The committee shall consist of one appointed faculty member from each of the colleges (except the honors college and the college of graduate studies); two nonvoting ex officio members, including the administrative head for information services and technology department, and the director of the center for instructional technology and distance learning (or designee), and two student members.
- (2) The functions of the committee are:
 - (a) To assess the information services and technology and instructional media services provided for academic use and to determine the academic needs in this area - to include the use of software, services, computers, and their peripherals, and all computational and instructional media equipment in faculty research and classroom teaching. In performing this function the committee shall have access to any pertinent material including all usage data and shall define the criteria used to assess the adequacy of information services and technology.
 - (b) To report its findings and make recommendations to the chief academic officer through the faculty senate.
 - (c) To advise the administrative heads for information services and technology and instructional media services on all significant changes in hardware, software, personnel, and user services and policy.

(O) University personnel committee.

- (1) The committee shall consist of the university peer review committee plus one representative from the college of law. The committee shall select its own chair. The law school representative shall be a tenured member of the law school faculty holding the rank of professor elected by the law school faculty and shall serve a term of two years. The law school representative shall vote on all matters relating to the law school even though said representative may have been a member of the committee of the whole law school personnel review committee but may not vote if said representative has been a member of the subcommittee responsible for a particular candidacy. The law school representative may attend all meetings of the university peer review committee, but shall neither vote nor participate in discussions regarding any university peer review committee matters.
- (2) It is the function of the university personnel committee to study dossiers and make recommendations to the provost in all those cases not covered by the American association of university professors collective bargaining agreement (the "Agreement") where conflicting recommendations have been made by the department peer review committee, the college peer review committee, the chair, or the dean. In addition, the provost may refer any or all other cases not covered by the agreement to the university personnel committee for consideration and recommendation. In the cases where there have been conflicting recommendations, the university personnel committee shall solicit comments and supplementary materials from the candidate, the peer review committees, the chair, university personnel committee and the dean. In no case does the university personnel committee have the authority to hold hearings concerning dossiers. It shall forward its recommendations on all candidates for promotion and/or tenure, with supporting reasons, to both the candidate and the provost as well as the dean, college peer review committee, chair, and departmental peer review committee (where applicable) by January twenty-fifth.

- (3) The provost shall consider all documents and recommendations, giving particular attention to the university personnel committee recommendations and forward their recommendations 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 must discuss the case with the university personnel committee. Copies of the provost's recommendation shall be sent to the candidate, university personnel committee (where applicable), dean, college peer review committee, chair, and departmental peer review committee (where applicable) by February fifteenth.

(P) University petitions committee.

- (1) The committee shall consist of one appointed full-time faculty member from each of the following colleges: business, education, engineering, liberal arts and social sciences, sciences and health professions, and urban affairs. The registrar shall be a corresponding member and serve as the secretary to the committee.
- (2) The committee shall receive and act on petitions for waivers of university requirements, unless the admissions and standards committee has approved referral of classes of petitions (e.g., late withdrawals) to the colleges.
- (3) Examples of petitions are: group requirement waivers; freshman English waivers; physical education waivers; late change of grade status; waivers involving transient status. The decisions of the university petitions committee shall ordinarily be final. In extreme and rare cases, appeal shall be to the chief academic officer.
- (4) The committee shall report annually to faculty senate on petitions received and actions taken.

(Q) Budget and finance committee.

- (1) The committee shall consist of five faculty members willing to make a significant commitment of time and effort for a two-year period, except for the first year during which two of the five members shall be elected for only one year. The senate academic steering committee shall nominate a slate of five faculty members the first year, and alternately two and three faculty members in succeeding years to replace members as their terms expire. The faculty senate shall accept the slate of nominees offered by the academic steering committee, together with nominations from the floor, for electing members of its budget and finance committee. Vacancies occurring prior to the expiration of a term shall be filled in a similar manner. The members of the faculty senate budget and finance committee shall elect their own chair and shall serve concurrently as members of the university planning and budget advisory committee (PBAC).
 - (2) The functions of the faculty senate budget and finance committee:
 - (a) To participate fully and proactively in creating the budget that is proposed to the president for final action by the board of trustees.
 - (b) To report at each faculty senate meeting on current and future budgetary matters.
- (R) Electronic learning committee.
- (1) The committee shall consist of one faculty member appointed by faculty senate from each of the colleges (except the honors college and the college of graduate studies); the vice provost for academic planning and the director of the center for e-learning as non-voting ex officio members; and two students.
 - (2) The functions of the electronic learning committee:
 - (a) To increase knowledge, collaboration, and effectiveness of on-line instruction at the university.

- (b) To develop policies regarding student access to electronic learning courses at the university.
 - (c) To make recommendations regarding the academic security of electronic learning courses.
 - (d) To assure the quality of electronic learning courses at the university.
 - (e) To make recommendations regarding peer and student evaluation of the teaching effectiveness of electronic courses.
 - (f) To participate in strategic planning regarding the future development of electronic instruction at the university.
- (3) Proposals and recommendations from the electronic learning committee pertaining to new curriculum, new academic standards, or new faculty policies shall be referred to the appropriate faculty senate standing committee for consideration and approval (e.g. university curriculum committee, admissions and standards committee, or university faculty affairs committee).
- (S) Undergraduate student success committee.
 - (1) The committee shall consist of one faculty member appointed by senate from each of the colleges, excluding the college of graduate studies and the Cleveland-Marshall college of law, two undergraduate students (one from a science, technology, engineering or mathematics major, one from a non-science, technology, engineering or mathematics major), a representative of the university teaching council selected by the council and the following non-voting ex officio members, or their designees: the vice provost of academic programs and the vice president of enrollment management and student success. The committee will elect their own chair from among those voting members of the committee who are faculty.

(2) The functions of the committee are:

- (a) To monitor, gather, and report to faculty senate data relative to student success.
- (b) To encourage, promote, and facilitate faculty's role in and contribution to student success.
- (c) To identify and facilitate solutions to systematic barriers to student success.
- (d) To serve as the interface between the faculty and the many student success functions and efforts across the university.
- (e) To consult with the university administration regarding matters of student success.

3344-13-04 Amendments.

Any proposed amendment to these bylaws, approved by the faculty senate and determined to be substantive by the faculty senate, shall be submitted to the members of the faculty for a mail ballot. A positive vote by a majority of the members of the faculty voting shall be sufficient for the adoption of the proposed amendment after approval by the board of trustees.

3344-14-01 Bylaws of the faculty of the college of graduate studies

These bylaws are applicable within the authorization established by the bylaws of the board of trustees and of the faculty organization of Cleveland state university.

3344-14-02 Name.

- (A) This organization shall be known as the faculty of the college of graduate studies of Cleveland state university.
- (B) Graduate studies shall be defined as those academic and professional curricula, which require student achievement above the baccalaureate level in any field leading to a master's, specialist's, or

doctoral degree, except for the degrees of J.D. and L.L.M. In addition, graduate level certificates, licensure programs or other post baccalaureate programs may apply to the graduate council for inclusion.

3344-14-03 Membership.

- (A) The faculty of the college of graduate studies shall be constituted as follows:
 - (1) The president of the university, the provost and senior vice president for academic affairs, the dean, associate dean and assistant dean(s) of the college of graduate studies, and all deans of colleges of the university. All these members are ex officio and non-voting members, unless qualified under paragraph (A)(2) of this rule.
 - (2) All members of the faculty under full-time contract to the university (except visiting faculty), emeritus faculty, and university administration who meet the eligibility requirements set forth in paragraph (B) of this rule, who so desire, and whose credentials have been evaluated and approved by the graduate council. All such members shall be voting members on matters related to graduate program governance and curriculum development and revisions.
 - (3) Adjunct, visiting, and part-time faculty who meet the eligibility requirements set forth in paragraph (B) of this rule) may apply for non-voting graduate faculty membership at the appropriate level. The applications are processed through the appropriate department chairperson clarifying the role the faculty member will play and submitted to the graduate council for evaluation and approval. Adjunct, visiting, and part-time faculty are not eligible for membership on the graduate council.
 - (4) Faculty emeriti who are members of the graduate faculty at the time of retirement shall continue to be voting members of the graduate faculty for the remainder of their terms. When their terms expire, graduate faculty emeriti may have

their memberships renewed as non-voting members upon request. Faculty emeriti who qualify under paragraph (A)(2) of this rule shall be voting members of the graduate faculty.

- (5) In such cases where a faculty member has been judged by the graduate council not to fulfill (paragraph (B)(1) of this rule), the individual may petition the graduate council later for reconsideration if additional documentation becomes available to enhance the faculty member's credentials.
- (6) In such cases where a faculty member does not seek graduate faculty membership, but wishes to perform a limited number of the functions of a graduate faculty member (see rule 3344-14-04 of the Administrative Code), the individual may petition the graduate council to perform specific functions for a period not to exceed three years. Such petitions shall be considered when the contribution of the faculty member is vital to the function of the program, or in other extraordinary circumstances.
- (7) Upon request of a graduate faculty member, graduate faculty status may be extended for up to one year upon the vote of graduate council after the determination of the graduate faculty review committee that:
 - (a) The faculty member requesting the extension was affected by a serious medical condition or an extended absence from work due to a reason allowed under the Family Medical Leave Act, during the period of their most recent graduate faculty membership;
 - (b) That the illness or leave resulted in the member being unable to maintain the level of scholarly and creative activity necessary for a significant period of time; and
 - (c) In the determination of the committee, the graduate faculty member has provided information sufficient to show that the faculty member will probably be able to meet the requirements to have graduate

faculty status renewed after the extension period.

- (B) All faculty may seek graduate faculty membership as a result of their ongoing accomplishments and demonstrated knowledge in their field. The college of graduate studies sets the levels of different graduate faculty membership and minimum requirements for each level. Academic colleges and freestanding schools may set additional requirements and define terms specific to their colleges or schools. For faculty seeking reappointment to the graduate faculty, membership criteria shall be met within the preceding five years prior to the start of a new membership term. Graduate faculty at level II or level III may apply for membership at a higher level at any time once appropriate criteria are met. Graduate faculty membership applications shall be reviewed based on a faculty member's accomplishments, not on the level of degrees offered by the faculty member's department. Graduate faculty membership criteria and guidelines should be reviewed by the graduate council every five years. Requests for exceptions to these guidelines for special situations, which may include, for example, exempting a specific faculty member from certain membership requirement(s) or a course from requiring a level I or level II faculty to teach it, should be submitted in writing and shall be reviewed by the graduate council and/or dean of the college of graduate studies.
- (C) Requirements for membership:
 - (1) Level I:
 - (a) Terminal degree in discipline; and
 - (b) One of the following:
 - (i) Two peer-reviewed journal articles, plus two peer-reviewed scholarly works as defined by the college (which may include, but are not limited to, competitive grants, refereed book chapters, refereed conference proceeding papers or presentations, etc.); or
 - (ii) One scholarly peer-reviewed book in faculty member's discipline; or

- (iii) Equivalent, externally-recognized publication or creative activity appropriate to discipline. This is only for disciplines in which peer-reviewed journal articles and peer-reviewed books are not a widely accepted form of scholarship.

(2) Level II:

- (a) Terminal degree in discipline; and
- (b) One of the following:
 - (i) One peer-reviewed journal article, plus one peer-reviewed scholarly work as defined by the college (which may include, but is not limited to, competitive grants, refereed book chapters, refereed conference proceeding papers or presentations, etc.); or
 - (ii) Equivalent externally-recognized publication or creative activity appropriate to discipline. This is only for disciplines in which peer-reviewed journal articles and peer-reviewed books are not a widely accepted form of scholarship.

(3) Level III:

- (a) Appropriate graduate degree; and
- (b) Two years of professional experience

- (4) Provisional membership: Full-time faculty receiving their terminal degree within two years of seeking graduate faculty membership, but who do not fulfill the peer approval requirement, may be recommended for an initial three year membership term if they have submitted at least some evidence of their accomplishments or knowledge of their discipline for review and approval under the guidelines. At

the termination of this initial membership period, continuation of graduate faculty membership shall require compliance with the criteria stated, herein.

- (D) Graduate faculty members are appointed for a five-year term, except for the provisional membership, which is valid for a three- year term, with the year of appointment serving as the first year of the term. The dean of the college of graduate studies shall maintain a current list of members of the faculty of the college of graduate studies. This list shall be distributed to the faculty annually.

3344-14-04 Powers.

- (A) The graduate faculty shall determine educational objectives for the college of graduate studies, establish proper standards directed toward efficient achievement of those objectives, coordinate the educational policies of the college of graduate studies with those of the other colleges of the university, and foster graduate education and scholarly research. Only members of the graduate faculty may perform the following duties:
 - (1) Level I:
 - (a) Teach graduate courses at all levels
 - (b) Direct doctoral dissertations
 - (c) Direct MS/MA theses or projects
 - (d) Serve on doctoral dissertation and master's thesis, project or comprehensive exam committees
 - (2) Level II:
 - (a) Teach graduate courses at all levels
 - (b) Direct MS/MA theses or projects
 - (c) Serve on doctoral dissertation and master's thesis, project or comprehensive exam committees
 - (3) Level III:
 - (a) Teach entry level (5XX) graduate courses
 - (b) Serve on MS/MA theses or project committees

- (4) Provisional: Same as level I
- (5) Under normal circumstances, only level I or level II graduate faculty may serve as a graduate program director.
- (B) The graduate faculty shall be responsible for the granting of all graduate degrees awarded by the college of graduate studies.
- (C) The graduate faculty can recall, nullify, or modify any action of the graduate council by a two-thirds vote of those voting. Such action shall require a formally approved motion presented at a meeting of the graduate faculty and voting shall follow by paper or electronic ballot under the auspices of the dean of graduate studies.
- (D) During the spring term, the graduate faculty shall elect one of its members to the faculty senate. The dean of the college of graduate studies shall ascertain which members of the graduate faculty are willing to serve in this capacity. This process shall take place at least two weeks prior to a paper or electronic balloting through which the two candidates with the highest number of votes shall be declared the designated candidates in the ensuing election.
- (E) Should the number of graduate faculty representatives to the faculty senate be changed by the provisions of the university faculty bylaws, the procedures of this article shall apply except that the number of nominees in the election may change. However, the number will always be in a ratio of two to one, relative to the number of representatives to the faculty senate to be chosen at the election.

3344-14-05 Officers.

- (A) The dean of the college of graduate studies shall be the chief executive officer of the college of graduate studies and shall be the chairperson of the graduate faculty.
- (B) The dean or the dean's designated representative shall preside at graduate college faculty meetings.
- (C) A secretary shall be appointed by the dean of the college of graduate studies.

- (1) The secretary shall keep records of the meetings of the graduate faculty. These records will be made public in whole or in part to the graduate faculty.
- (2) The secretary shall notify each member of the graduate faculty of the time, place, and agenda of each meeting at least seven days in advance of the meeting. The secretary shall make available to members of the graduate faculty a copy of the complete minutes of each meeting.

3344-14-06 Meetings.

- (A) The faculty of the college of graduate studies shall meet at least once each academic year, at a date and time to be set by the graduate dean and the graduate council, and upon at least seven days advance notice, with a published agenda which shall permit the introduction of business from the floor. Faculty meetings may be requested by petition of at least five per cent of the voting members of the faculty of the college of graduate studies, as presented in writing to the dean of the college.
- (B) Twenty-five per cent of the total membership of the faculty of the college of graduate studies shall constitute a quorum for the purpose of transacting official business.
- (C) All meetings shall be conducted according to Robert's rules of order.
- (D) Items may be placed on the published agenda of graduate faculty meetings by the graduate dean, the graduate council, or the request of at least five per cent of the voting members of the faculty of the college of graduate studies.

3344-14-07 Graduate council.

- (A) The graduate council shall consist of:
 - (1) The dean of the college of graduate studies (voting), any associate and assistant deans of the college of graduate

studies (ex officio and non-voting, unless qualified to vote under paragraph (C)(4) of this rule, the university library director (ex officio, non-voting), and a registrar's office representative (ex officio, non-voting).

- (2) Faculty members will be elected as representatives of the graduate faculty as follows:
 - (a) One each from every college or stand-alone school, elected by the graduate faculty within that college or stand-alone school.
 - (b) The remaining number of representatives shall be elected based on the number of graduate faculty within each and every college or stand-alone school, elected by the graduate faculty within that college or stand-alone school. After a minimum of forty graduate faculty there will be one elected faculty for every additional forty graduate faculty. No two council members may be from the same department, institute, or division, unless the college or stand-alone unit has only one department.

(B) Election provisions:

- (1) Membership. Faculty members of the graduate council shall be voting members of the graduate faculty who hold no administrative appointment other than that of chairperson or director.
- (2) Terms of office. Terms of office shall be two years. Terms shall begin on August fifteenth following the regular election.
- (3) Dates of nomination process and elections. Elections shall be held during the spring term of each academic year, following the nomination process. The graduate council shall set the date for the nomination process and election early during the spring term of each academic year.
- (4) Paper or electronic ballots. All nominations and elections

shall be by paper or electronic ballot.

- (5) Tie votes. All tie votes shall be resolved by drawing lots. The graduate dean shall do so in the presence of the graduate council.
- (6) Nomination process. Nominations for the graduate council shall be by paper or electronic ballot as follows. The graduate dean shall determine which eligible members of the graduate faculty are willing to serve. This process shall take place at least two weeks prior to the nomination ballot. All eligible members of the graduate faculty who have indicated in writing a willingness to serve shall be listed on a nomination ballot appropriate to their academic areas as defined in paragraph (A)(2) of this rule. Each voting graduate faculty member from the academic area concerned shall have one vote. The two members receiving the highest number of votes shall be the candidates in the ensuing election.
- (7) Election. Each voting graduate faculty member shall have one vote for each representative from their college or stand-alone school.
- (8) Vacancies. In the event that a vacancy occurs in the graduate council, the collegial dean in the academic area in which the vacancy occurs shall submit to the council the names of no more than three voting members of the graduate faculty who have indicated their willingness to serve on the council. From these nominations, the council will select the person to fill the unexpired term. Any person filling an unexpired term remains fully eligible for election to graduate council, and the unexpired term is not subject to the limitation described in paragraph (B)(9) of this rule.
- (9) Limitations on terms of office. Members of the graduate council shall be limited to serving two consecutive two year terms. After the completion of a second, consecutive, two year term, the faculty member shall not be eligible for re-election to the council until two years elapse from the conclusion of the second consecutive term of office.

(C) Meetings and quorum:

- (1) Regular meetings shall be held at least monthly during the academic year, or upon call of the dean of graduate studies or five voting members of the council.
- (2) A majority of the voting members of the graduate council shall constitute a quorum at any meeting.
- (3) All meetings shall be conducted according to Robert's rules of order.
- (4) The dean of the college of graduate studies shall act as chairperson of the graduate council. The dean may designate a member of the graduate council as chairperson in their absence. The chairperson-designate serves as a voting member of the council.
- (5) Any graduate council member may request that any item be placed on the graduate council agenda.
- (6) Written minutes of the meetings shall be taken and filed with the secretary of the faculty senate. Such minutes should indicate all actions taken. Copies of minutes shall be made available to all members of the faculty.

(D) The graduate council shall be charged with the following responsibilities:

- (1) Graduate programs. Review and approval of all proposals for new courses or curricula awarding graduate credit, all new programs of graduate study, and all proposals for altering or abolishing existing programs; program review and evaluation of existing programs.
- (2) Student affairs. Regulation of student admission, standards of achievement and requirements for students enrolled in graduate programs, other specific procedures regarding graduate work, and completion of graduate degree programs.

- (3) Faculty membership. Establishing procedures for admission, continuance, resignation and/or removal of members of the faculty of the college of graduate studies and approval of faculty membership.
- (4) Standing committees. Appointment and discharge of such committees as deemed appropriate. These committees may include student members as appropriate. Standing committees of the college include: petitions, graduate faculty review, and grade dispute.
- (E) The dean of the college of graduate studies and the graduate council shall have the power to appoint and to discharge committees as they and/or the graduate faculty deem appropriate.

3344-14-08 Administrative responsibilities.

- (A) Each department or other unit authorized to offer programs leading to a graduate degree shall:
 - (1) Establish, within the framework of the policies of the college of graduate studies, regulations governing the administration of existing graduate degree programs;
 - (2) Formulate procedures for the evaluation of the graduate degree program of each candidate and certify to the dean of the college of graduate studies those students who are advanced to candidacy for graduation, upon completion of all requirements for a graduate degree;
 - (3) Have the opportunity to review for admission to a graduate degree program, all students who apply.
 - (4) Establish minimum standards for admission into their programs, so long as they meet or exceed the minimum standards of the graduate college. Where departments desire to admit students who do not meet such requirements, disposition of the case shall be made with the approval of the graduate dean.

- (5) Within the framework of the policies of the college of graduate studies, review and approve applications for graduate assistantships.
 - (6) Review the graduate degree program(s) offered in the department.
- (B) The office of the dean of the college of graduate studies shall:
- (1) Forward appropriate items to the graduate council and to the faculty senate.
 - (2) In consultation with the president and the provost and senior vice president for academic affairs of the university, determine items to be brought before the board of trustees, and the Ohio board of regents.
 - (3) Administer a centralized records center, and have the responsibility to coordinate all academic warnings, probations, and dismissals pertaining to graduate students.
 - (4) Maintain a secretary for the graduate council and seek to facilitate effective communication between the administration and all university units having graduate programs.
 - (5) Coordinate certain formal publications, including the graduate issue of the “Cleveland State University Catalog.”
 - (6) Be responsible for disseminating information on fellowships and grants and encouraging scholarly research.

3344-14-09 Amendments.

Amendments to these bylaws may be proposed by the graduate council or by petition of at least five per cent of the members of the faculty of the college of graduate studies. Members of the faculty of the college of graduate studies shall vote by paper or electronic ballot on such proposed amendments, and a two-thirds vote of those voting is required to adopt a proposed amendment.

3344-15-01 Bylaws of the office of research.

- (A) (Revisions approved by faculty senate May 1, 2013, approved by board of trustees May 20, 2013.)
- (B) These bylaws are applicable within the authorization established by the bylaws of the board of trustees and the faculty organization of Cleveland state university.

3344-15-02 Name.

This organization shall be known as the office of research at Cleveland state university.

3344-15-03 University research council.

- (A) The university research council shall consist of:
 - (1) Fifteen faculty or staff members eligible under paragraph (B) of this rule, two from each of the seven academic colleges and one from the school of nursing. Eligible faculty and staff members shall be nominated by the deans of their respective colleges and submitted to the vice president for research.
 - (2) A representative elected annually by the graduate faculty during regular elections to serve as a member of, and liaison to, the university research council.
 - (3) The director of sponsored programs and research services.
- (B) Eligible faculty and staff:

To be considered eligible for appointment to the university research council, nominees must be well-recognized, active scholars as indicated by external funding, nationally recognized scholarly activity, or other appropriate indicators; be able and willing to attend

meetings on a regular basis and actively participate in the deliberations and activities of the university research council.

- (C) The university research council shall be charged with the following responsibilities:
- (1) Research policies. Review and report to the faculty, deans, and the provost on all proposals for new policies or programs designed to enhance research productivity and success.
 - (2) Internal funding programs. Review and recommend changes to the vice president for research on internal funding programs for research. The university research council will also be requested to participate in reviewing proposals for internal competitions, ranking the proposals and forwarding recommendations for funding to the vice president for research.
 - (3) Bylaws of the university research council. The university research council shall develop bylaws and procedures.
 - (4) Committees. Appointment and discharge of such committees as deemed appropriate. These committees may include members outside the council, including external to the university, as appropriate.

3344-16-01 Other faculty personnel policies.

The collective bargaining agreement between Cleveland state university and the American association of university professors, CSU chapter, currently in force no longer includes certain articles (or portions, thereof,) contained in previous agreements. Of these excluded texts, the following are now incorporated in Chapter 3344-16 of the Administrative Code and the current personnel policies and bylaws, and as such, remain as university policy until modified by appropriate procedures of faculty governance and/or the provost.

3344-16-02 Classroom and related responsibilities.

- (A) Examination and grades.

- (1) Dates for final examinations are posted on the university registrar's website. All final examinations shall be administered during the period assigned by the university registrar and shall follow the approved time schedule as designated by the administration. In the event of a class without a final exam, a class session shall be held during the scheduled final exam period. Laboratory, thesis, internship, field work and independent study courses are excluded from this requirement. In classes where take-home finals are assigned, the take-home examination is due on the day and time of the regularly scheduled final.
- (2) Faculty shall be required to submit grades at the end of a term. Faculty teaching one-hundred and two-hundred-level courses shall also make every reasonable effort to submit mid-term grades for freshmen enrolled in such courses. Final grades should be submitted within forty-eight hours of the end of the examination, but not later than the deadline established by the registrar's office.
- (3) One copy of each syllabus shall be filed with the chair and supplied to the students at the start of classes. The syllabus shall contain grading and pedagogical guidelines as well as course content and assignments. A copy of the final exam should be given to the chair after the end of the term upon request. A faculty member shall preserve students' answers to final examinations for one semester unless returned to the student, except that examinations from the spring semester should be retained until the end of the fourth week of the ensuing fall semester.

(B) Class schedules and rooms.

- (1) If a faculty member finds it necessary to change a scheduled time or classroom assignment, written approval of the chair or dean's designee is necessary before any change is announced to students in the class.
- (2) Faculty have an obligation to meet their scheduled classes, throughout the scheduled time, unless an approved

alternative learning experience has been assigned in the syllabus as part of the course requirement. On those occasions when faculty know ahead of time that it may be necessary for them to be absent from class because of attendance at a professional meeting or because of religious observance, faculty shall request written permission from the chair or dean's designee and work with the latter to make appropriate arrangements for covering missed classes.

- (3) When a faculty member is forced by illness to cancel class, the faculty member shall, if possible, inform the students and the department chair of such cancellation at a reasonable period of time before the class is scheduled to meet.
- (C) Student evaluation of instruction. The faculty senate shall have oversight for assessing the instruments used in each college for the student evaluation of instruction. The college evaluation form(s) may include additional questions addressing the normative attributes of particular courses, such as class size and method and level of instruction. Faculty members may add their own questions to the college form(s). Deans or their designees, in cooperation with departmental or college faculty, shall establish procedures for the distribution, collection, and tabulation of the instrument(s). The appropriate college evaluation form(s) shall be distributed and tabulated in each course for each faculty member. Evaluation results shall be returned to the faculty member and kept on file in the departmental and dean's offices.
- (D) Office hours. Each faculty member shall maintain regular office hours, on a schedule approved by the chair or dean's designee, when they are available to students in their classes and their academic advisees without previous appointment. These office hours shall occur at optimum times for students and advisees; they shall be posted and listed on the syllabus. Faculty shall also make themselves available by appointment to accommodate students who cannot see them during regularly scheduled office hours.
- (E) Faculty availability. All full-time members shall be available for service at the university throughout the academic year. Faculty shall be available for advising as needed on a rotating basis, coordinated by the department chairperson, during the week of the registration

period before each semester. Faculty shall be charged sick time if they are unavailable for assigned service because of illness during that week.

- (F) Commencement exercises. The administration and the CSU- AAUP recognize university commencement exercises as an important hallmark in students' lives. Whereas both the administration and CSU-AAUP encourage all faculty to attend commencement exercises, at least one-quarter of the faculty shall attend the December and May commencement exercises in full academic regalia.

3344-16-03 Faculty professional development.

In addition to the professional responsibilities as described in rule 3344-16-02 of the Administrative Code, faculty are expected to continue their professional development. In order to assist in the process of faculty professional development within the context of the university's purpose and direction in the areas of teaching, research and service, the following procedures shall be employed:

- (A) Faculty annual activities report.
 - (1) The faculty annual activities report ("FAAR") shall be due on or before April thirtieth of each year. The FAAR shall report on faculty activities and achievements for the preceding period May first to April thirtieth. Not later than September thirtieth of each year faculty shall meet with their department chairs to discuss their professional plans for the current academic year. The chair and faculty member shall discuss the areas of teaching, scholarship/creative activities, and professional service, indicating what the faculty member hopes to accomplish in each of these areas. The chair shall comment on those plans in terms of the career interests of the faculty member, the academic purpose and direction of the department, and the professional service interests of the university and community. The purpose of faculty/chair discussions is to develop a plan for faculty professional development that takes into consideration both individual professional development and the purpose and direction of the department, the college and the university. The chair may also suggest alternate or additional opportunities for professional growth, and suggest possible sources of support

to assist faculty.

- (2) The faculty member, based on the discussions with the chair, shall prepare a written statement describing their planned goals and objectives for the year. The faculty development plan statement shall be due on or before October fifteenth of each year. This statement shall be reviewed by the department chair and added to the faculty annual activities report (FAAR). The statement of goals and objectives may be revised or amended to reflect new directions in a faculty member's professional development. The revised or amended statement shall be reviewed by the department chair and added to the FAAR.
- (3) Faculty members shall indicate on the FAAR the degree of progress toward achieving the goals and objectives articulated in the previous academic year's FAAR. For purposes of evaluating faculty, however, achievement shall be measured on the basis of tangible, objective evidence of progress towards stated goals, achievements that had not been anticipated at the time of the faculty member's statement of planned goals and objectives, and on the overall record of accomplishment for the year.
- (4) The college FAAR forms may be amended by agreement between the administration and the university faculty affairs committee.

(B) Faculty development plan.

Faculty development plans may include, but need not be limited to:

- (1) Teaching. New course development. Revising or sustaining instructional quality in existing courses. Development of methods for assessing courses and teaching effectiveness. Assumption of important curriculum responsibilities for department or college. Efforts to attract new students or to attract external funding for teaching innovation.
- (2) Scholarship/creative activities. New initiatives in research or creative activity, as well as continuation of ongoing projects.

Problem-solving activities linked to specific aspects of university's mission to local community. Efforts to attract external funding.

- (3) Service. Assumption of responsibilities for a major task within the university or externally in professional or community organizations. Sustaining or increasing levels of involvement in faculty governance, and/or other service activities.
- (C) The university will establish a program to encourage faculty in scholarly/creative activities and teaching innovation. In addition, the university will establish a clearinghouse function for circulating and sharing information on teaching effectiveness.

3344-16-04 Off-campus teaching.

- (A) Departments that offer courses for academic credit off-campus shall develop procedures to ensure that faculty teach these courses either as part of their regular workload or on a voluntary overload basis. A faculty member may, in consultation with the department chair or director, and dean be assigned an off-campus teaching assignment. If the off-campus assignment is part of a bargaining unit member's regular workload, then the assignment shall be governed by the workload provisions of the relevant collective bargaining agreement. All overload assignments shall be approved by the appropriate college dean.
- (B) Faculty members shall be reimbursed for the use of their personal vehicles when the distance traveled to an alternative site of instruction is greater than their normal commute to the central campus. Reimbursement for mileage, parking fees and tolls shall be made in accordance with standard university policies governing travel. If inclement weather or other hazardous conditions prevail, then the faculty member shall also be reimbursed for hotel and meal expenses in accordance with standard university travel policy.
- (C) Any course offered off-campus for academic credit shall be approved through the same procedures required for approval of on-campus offerings. All expenses for copying (i.e., syllabi,

examinations, or other course materials) shall be borne by the department credited with the off-campus assignment. Examinations, submission of final grades and pedagogical guidelines such as content and assignments shall be governed by rule 3344-16-02 of the Administrative Code.

3344-16-05 Faculty-student ratio.

- (A) The ratio of full-time equivalent (FTE) students to full-time equivalent faculty (all teaching faculty, bargaining and non-bargaining) shall be maintained at a value not to exceed 20:1 across the university, with a limit not to exceed a ratio of 25:1 for any individual college.
- (B) The administration and the CSU-AAUP recognize the need to maintain a strong complement of full-time tenure track faculty. Therefore, if either of the ratios specified above is exceeded for two consecutive semesters (not including summer semester), representatives of the administration and the CSU-AAUP shall meet to develop a strategy to restore these ratios.
- (C) The foregoing provisions of this article shall not apply if the university declares a financial exigency or if conditions warrant an academic reorganization.
- (D) Before the end of the fourth week of the second term in each academic year, the administration shall calculate the ratio of full-time equivalent (FTE) students to full-time equivalent faculty (all teaching faculty, bargaining and non-bargaining) for each college and for the university as a whole for the previous academic year and shall publish the results to the campus community. In addition, the administration shall provide the CSU-AAUP with a separate copy of the results and how the ratios were calculated.

3344-16-06 Holiday observances.

- (A) The university recognizes the following holidays:

New Year's day

Martin Luther King day
Presidents' day
Memorial day
Independence day
Labor day
Columbus day
Veteran's day
Thanksgiving day
Christmas day

- (B) The administration may establish alternate days of observance for the following holidays:

Martin Luther King day
President's day
Columbus day
Veteran's day

- (C) On days which are designated by the university to be holidays, faculty members shall not be required to be on campus, or at an off-campus site, or to perform any other duties with respect to the university. Nevertheless, on days designated by the university to be holidays, faculty members shall have access to the campus and to their offices and research facilities.

3344-16-07 Retirement.

- (A) A full-time faculty member at Cleveland state university with at least ten years of service who retires under the regulations of the state teachers retirement system or under an approved alternative retirement plan (ARP) may elect at the faculty member's sole option to continue part-time employment at CSU for a period of three years following retirement.
- (B) Employment may consist of, per academic year (not including summer):
- (1) A maximum of nine semester credit hours of teaching;
 - (2) A maximum of the equivalent of nine semester credit hours

of teaching performed as administrative service;

- (3) Any combination of paragraphs (B)(1) and (B)(2) of this rule up to the equivalent of nine semester credit hours of teaching.
- (C) Faculty may elect to engage in post-retirement employment for up to three years after retirement and shall be compensated at the summer salary rate specified in the relevant section of the current collective bargaining agreement. Retiring faculty who wish to teach in the fall semester, shall, by April first of the previous spring semester, notify their chair or director in writing of their intent to retire and to exercise post-retirement employment. Retiring faculty who wish to teach in the spring semester, shall, by May first of the previous spring semester, notify their chair or director in writing of their intent to retire and to exercise post-retirement employment.
- (D) Administrative service may be performed at the discretion of the provost and/or dean in consultation with the department chair or school director and with the concurrence of the retiring faculty member. The combination of administrative service and teaching may be allowed to vary over the three-year period
- (E) The courses to be taught and/or the type of administrative service, and the semester(s) of employment service, shall be determined annually by the department chairperson or school director and the dean in consultation with the faculty member.
- (F) A full-time faculty member at Cleveland state university with at least ten years of service who retires under the regulations of the state teachers retirement system or an approved alternative retirement plan and who elects to continue part-time employment at CSU for a period of three years following retirement may only cash out their sick leave at the time of retirement. Sick leave, which is not cashed out, may not be used during the post-retirement employment period pursuant to this article.
- (G) For full-time faculty members who retire with at least ten years of service, the university shall automatically continue the following services: e-mail, internet access, library privileges, use of a Viking card, parking and recreation. Those services shall be offered under

the same terms and conditions as to regular faculty. Each year by April first, a notice shall be sent via e-mail to which the faculty member shall respond affirmatively for services to be continued for the next year. A second e-mail shall be sent notifying retired faculty of the imminent termination of these services in the event that no affirmative response is received. After this second notice, services shall be terminated if the faculty member fails to respond affirmatively.

- (H) A faculty member may discontinue participation by appropriate and timely notification of the department chairperson or school director. The provost or dean may discontinue participation in the administrative services by appropriate and timely notification to the retired faculty member. The faculty member shall retain the option of increasing the teaching credit hours to remain within the limits as specified in paragraph (B) of this rule.
- (I) Regulations, rules, and policies of the state teachers retirement system or approved alternative retirement plan are beyond the scope of these personnel policies and shall not, under any circumstances, be subject to the grievance provisions of these policies.

3344-16-08 Emeriti faculty

- (A) Qualifications.

Emeritus and emerita status reflecting the rank achieved as a faculty member shall be conferred upon qualified retiring faculty members who request it. Appointment to an emeritus or emerita faculty rank shall be granted only to retiring faculty members who have achieved the rank of associate professor or professor, associate college lecturer or senior college lecturer, associate professor of practice or professor of practice, clinical associate professor or clinical professor, college of law clinical professor or college of law legal writing professor at Cleveland state university and have served Cleveland state university full-time for at least ten years.

- (B) Privileges and responsibilities.

Emeritus or emerita faculty members may from time to time be

requested to teach a course. They have the right to attend appropriate faculty meetings, whether these are committee, departmental, college, faculty senate, or university faculty meetings. They may serve on faculty committees but may not vote in faculty meetings. They should be provided with reasonable facilities and privileges, as recommended by departmental chairpersons, to the extent that university resources reasonably allow; final determination shall be made by the president. Their names shall be listed in the university bulletins and directory, and they shall receive any other benefits and privileges specified by the president.

(C) Rank.

Upon appointment to emeritus or emerita faculty status, a retiring associate professor or professor shall be designated associate professor emeritus/emera or professor emeritus/emera. A retiring associate college lecturer or senior college lecturer shall be designated associate college lecturer emeritus/emera or senior college lecturer emeritus/emera. A retiring, associate professor of practice or professor of practice shall be designated associate professor of practice emeritus/emera or professor of practice emeritus/emera. A retiring clinical associate professor or clinical professor shall be designated clinical associate professor emeritus/emera or clinical professor emeritus/emera. A retiring college of law clinical professor or college of law legal writing professor shall be designated college of law clinical professor emeritus/emera or college of law legal writing professor emeritus/emera.

3344-16-09 Parking facilities.

- (A) Faculty members who wish to use the university parking facilities may obtain a parking permit for a fee from the university. Faculty shall be subject to all parking rules and regulations.
- (B) The amount of parking fee increases, if any, shall be uniformly applied to faculty, students, staff and administrators.
- (C) Income from parking fees shall be used only to support parking facilities and operations, including maintenance and new

construction.

- (D) The CSU - AAUP and faculty senate shall be informed of any proposed changes in parking fees at least one semester in advance and the administration shall discuss any proposed changes in fees with the CSU – AAUP and faculty senate.

3344-16-10 Travel expenses.

- (A) Within budgetary limitations, CSU shall reimburse faculty for travel expenses incurred in:
 - (1) Attending professional conferences and meetings;
 - (2) Attending programs involving faculty development;
 - (3) Conducting research and other scholarly activities away from campus; and
 - (4) Conducting official university business.
- (B) Application for travel funds shall be made as early as possible to the department chair or dean's designee, who may authorize such funds. A request for reimbursement shall be supported by original sales slips, invoices or receipts, and shall be submitted on the proper university form. Faculty shall comply with all university rules and regulations in regards to reimbursement. At the beginning of the academic year, each dean shall inform all college faculty of the amount of travel money available to each faculty member for the coming year, and shall describe how any additional travel money will be distributed, including procedures for applying for this additional money and the criteria that will be used in distributing these funds.

3344-16-11 Library.

- (A) Interlibrary loan of materials needed for teaching or scholarship/research requested through the CSU library shall be available free of cost to faculty members.

- (B) All photocopying of materials from the library which are requested by a faculty member for use in teaching or research/scholarship shall be free of cost to the faculty member, subject to prior approval by the chair or dean's designee.

3344-16-12 Recreation facilities.

- (A) University rules and regulations, including applicable user fees.
- (B) Income from recreation fees shall be used only to support recreation facilities and operations.
- (C) The CSU-AAUP and faculty senate shall be informed of any proposed changes in recreation fees at least one semester in advance and the administration shall discuss any proposed changes in fees with the CSU-AAUP and faculty senate.

3344-16-13 Provision and use of university postage.

The administration shall provide postage for faculty members to mail materials related to scholarly or instructional activities or university business. Faculty members shall not use university postage to mail materials of a personal nature.

3344-16-14 University teaching council

- (A) The university teaching council shall consist of:
 - (1) Fifteen faculty members eligible under paragraph (B) of this rule, two from each of the seven academic colleges and one from the school of nursing. Eligible faculty members shall be nominated by the deans of their respective colleges and submitted to the provost by May first each year. The provost will approve the nominations and notify incoming council nominees by August fifteenth. The term of service for regular members is three years, from September first to August thirty-first.

- (2) The director of the center for faculty excellence, serving as chairperson.
- (3) One undergraduate and one graduate student representative.
- (4) The director of general education as a non-voting member.
- (5) Other non-voting members may include liaisons from eLearning, the university library or other relevant units involved in supporting teaching as deemed necessary by the chair of the council.

(B) Eligible faculty:

To be considered eligible for appointment to the university teaching council, nominees must be well-recognized, excellent teachers as indicated by department chair, peer and student recommendations, nationally recognized scholarly activity, or other appropriate indicators; be able and willing to attend meetings on a regular basis and actively participate in the deliberations and activities of the university teaching council.

(C) The university teaching council shall be charged with the following responsibilities:

- (1) Teaching policies: review and advise university faculty affairs committee regarding all proposals for policies concerning teaching activities; review and advise the faculty, deans, and provost on all proposals for new programs designed to enhance teaching excellence and success.
- (2) Internal funding programs: review and recommend changes to the provost on internal funding programs for supporting and developing teaching. The university teaching council will also be requested to participate in reviewing proposals for internal competitions and awards, ranking the proposals and forwarding recommendations for funding to the provost.
- (3) Provost's teaching summit: plan and implement the annual provost's teaching summit.

- (4) Bylaws of the university teaching council: The university teaching council shall develop bylaws and procedures.
- (5) Committees: appointment and discharge of such committees as deemed appropriate. These committees may include members outside the university teaching council, including external to the university.
- (6) Best practices: develop and communicate best practices pertaining to teaching for dissemination to the faculty through the center for faculty excellence.