



3344-1-04 University faculty and staff.

- (A) University faculty membership. the university faculty shall consist of the president, university officers for academic affairs, professors, associate professors, assistant professors, instructors, research and public service professors, research and public service associate professors, research and public service assistant professors, clinical associate professors, clinical assistant professors, officers who hold academic rank, term appointees, visiting appointees, and lecturers.
- (B) Faculty senate. The university faculty may delegate any or all of its authority to a representative faculty senate in accordance with bylaws adopted by the university faculty and approved by the board of trustees.
- (C) Appointment of faculty and staff. The president of the university and those administrative officers he/she may so designate shall have the authority to approve and execute all faculty and staff appointment contracts and annual renewals thereof provided that current and/or permanent budgetary funds are available to fund such appointments and related compensation.
- (D) Board action in non-bargaining unit faculty dismissals. The Cleveland state university faculty personnel policies as revised were approved by the board of trustees effective February 1, 1975. These personnel policies provide for due process in the matter of the dismissal of a faculty member, who is not a member of the faculty collective bargaining unit, culminating in a recommendation by the president to the board of trustees. The board of trustees shall provide final resolution to the process in the following manner:
 - (1) If the president recommends to the board that a tenured faculty member, who is not a member of the faculty collective bargaining unit, be dismissed or suspended, or that a non-tenured faculty member not a collective bargaining unit member be dismissed or suspended during his/her contract term, the president shall, on request of the faculty member, transmit to the academic affairs committee of the board the record of the case, including the record of the formal hearing, if there was one, before the prescribed faculty hearing committee.
 - (2) The academic affairs committee shall review the case and, as stipulated in this rule, may provide for a hearing. If there is a

hearing, the academic affairs committee shall adopt its own rules of order and procedure for the hearing.

- (3) If there was a formal hearing before the prescribed faculty hearing committee, the academic affairs committee's review shall be based on the record of the faculty committee hearing, and it shall provide opportunity for argument, oral or written or both, by the principals at the faculty committee hearing or by their representative. If there was no formal hearing before the faculty committee, the academic affairs committee shall exercise its discretion as to whether oral arguments by the principals (or their representatives) shall be considered in addition to the written record of the case (which shall include any written statements submitted by the concerned faculty member) supplied by the president.
- (4) If the academic affairs committee agrees with the recommendation of the faculty hearing committee, it shall make a formal recommendation to that effect to the board of trustees. If it does not agree with the faculty committee's recommendation, it shall return the proceeding to the faculty committee with specific objections stated.
- (5) The faculty committee shall then reconsider, taking into account the stated objections and receiving new evidence if necessary. The faculty hearing committee's further recommendations, if any, must be returned to the academic affairs committee's objections.
- (6) If the faculty committee submits further recommendations within twenty-one days, the academic affairs committee shall make its formal recommendation to the board of trustees after study of the faculty hearing committee's further recommendation.
- (7) The board of trustees shall consider the formal recommendation of the academic affairs committee and make the final decision in the case. If, however, the board of trustees rejects a formal recommendation of the academic affairs committee that is in agreement with the recommendation of the faculty hearing committee, the board shall return the proceeding to the faculty committee with specific objections stated.

- (8) The faculty hearing committee shall then reconsider, taking into account the stated objections and receiving new evidence if necessary. The faculty hearing committee's further recommendation, if any, must be returned to the board of trustees within twenty-one days of receipt of the board's objections.

- (9) If the faculty hearing committee submits a further recommendation within twenty-one days, the board of trustees shall make its final decision in the case after study of the faculty committee's recommendation.

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