

3359-9-02 General academic and administrative personnel matters.

(A) Categories of full-time faculty. The full-time faculty of the university of Akron comprises all university employees who have been appointed as full-time faculty by the board of trustees. The following constitute categories of full-time faculty of the university of Akron and the responsibilities of those within each category:

(1) Regular faculty.

- (a) The regular faculty is composed of all full-time faculty who have been awarded indefinite tenure or are eligible to be awarded indefinite tenure. Such faculty hold the rank of professor, associate professor, assistant professor, or the title of distinguished professor.
- (b) Members of the regular faculty generally have a full range of responsibilities, including teaching, research, scholarship and other creative professional work, and service to the unit, the university and the public.

(2) Non-tenure-track bargaining unit faculty.

- (a) Non-tenure-track bargaining unit faculty are full-time faculty who are not regular faculty and subject to the collective bargaining agreement. The expectation for these faculty positions is that they will continue as long as the university identifies the need for them, and that if the university's needs or goals change, such positions may be modified or eliminated. These faculty, some of who may hold a three-year appointment, may reasonably expect that they will not be terminated without just cause. However, satisfactory performance cannot guarantee reappointment.
- (b) These non-tenure-track faculty are categorized into three rank levels. The initial ranks are college lecturer and instructor, the ~~immediate~~ intermediate ranks are associate college lecturer and associate instructor, and the highest ranks are senior college lecturer and senior instructor. Faculty holding a college lecturer rank shall primarily have

teaching duties, while faculty holding an instructor rank shall have teaching duties as well as service and/or research duties appropriate to the current needs of the academic unit. The specific duties of college lecturers and instructors shall be specified clearly in the appointment letter.

- (c) In particular, the instructional load for college lecturers ~~include~~ includes instructional support activities related to a specific course, with a limit of three different course preparations per semester. Instructional support activities include lecture preparation, assignment preparation and grading, holding office hours, supervising recitation instructors associated with the course, and similar activities. Activities that are not assignable to college lecturers include student advising and laboratory administration. Non-tenure-track bargaining unit faculty required to engage in these or other activities, such as scholarly research or college level service committees, must be classified as instructors and must receive an appropriate teaching load credit to support those activities.
- (3) Other non-tenure-track non-bargaining unit faculty. The non-tenure-track non-bargaining unit faculty comprises all adjunct, temporary, visiting, research, and school of law faculty, including clinical professors of law and professors of legal writing.
 - (a) Clinical professors of law and professors of legal writing. Such faculty hold the title of clinical professor of law, associate clinical professor of law, assistant clinical professor of law, professor of legal writing, associate professor of legal writing, or assistant professor of legal writing. The expectation for these faculty positions is that they will continue as long as the university identifies the need for them, and that if the university's needs or goals change, such positions may be modified or eliminated.
 - (b) Research faculty. Such faculty hold the title of research professor, associate research professor, or assistant research professor. The expectation for these faculty positions is that they will continue as long as the university identifies

the needs for them, and that if the university's needs or goals change, such positions may be modified or eliminated.

- (c) Similar titles and expectations for adjunct, temporary and visiting faculty positions shall exist.

(B) Appointments and tenure.

Without limiting the authority of the board as conferred and defined by law to act in such matters upon its own motion, the following principles and rules shall govern the appointment and position status of university faculty:

- (1) University faculty shall be appointed by the board upon recommendation of the president of the university. The appointment shall normally be for an initial period of one year, but the board may make the initial period longer than the first year in appropriate circumstances, as determined by the board.
- (2) Non-tenure-track bargaining unit faculty and other non-tenure track faculty shall be subject to annual reappointment and shall receive annual notices of reappointment if their continued service is desired, except that the board may grant longer appointments for such faculty as set out below.
- (3) The board may grant fixed-term appointments longer than one year to non-tenure-track faculty. During the term of such appointments, these appointments may be terminated only for just cause related to the performance of the incumbent or for programmatic or economic reasons related to the characteristics of the position (as opposed to the characteristics or performance of the incumbent). Except as set out in (4) below, these appointments create no expectation of appointment, and the board may decline to reappoint an incumbent in its sole discretion.
- (4) The board may grant fixed-term appointments as set out in (3) above with a presumption that the incumbent will be reappointed unless the incumbent's performance does not support reappointment or unless the position is terminated for

programmatic or economic reasons. Such appointments do not constitute tenure and do not establish any of the rights or protections of tenure beyond the rights or protections described in these paragraphs (3) and (4).

- (5) The period of one year means that the faculty member has an academic year appointment unless otherwise noted and the faculty member's services are required according to the period specified in paragraph (F) of this rule.

(C) Academic administrators with faculty status:

(1) Faculty status for administrators.

(a) University of Akron faculty members who assume administrative positions within the university shall retain an academic appointment in a department, school, or college in which they have been granted indefinite tenure.

(b) Persons who are recruited by the university to serve exclusively or primarily in the academic administrative positions may also be granted an appointment at appropriate academic rank in the department, or, where appropriate, school, or college of their discipline. They may also apply for indefinite tenure in that faculty position.

- (2) The search committee for the administrative position shall present the full vita of each finalist to the tenure committee of the department that the search committee deems suitable and give the department committee an opportunity to interview the candidate. A professorial appointment in that department shall not be made without the concurrence of the departmental tenure committee and (with the exception of the appointment of a dean of the same college) the dean of the college.

- (3) If an administrative academic appointment is made, the administrator may apply to the departmental tenure committee for indefinite tenure. The procedures to be followed shall be those adopted by that department or, where appropriate, school, or college, for its faculty members, but the following criteria shall be

taken into consideration:

- (a) Because the administrator has been performing other duties since leaving a full-time teaching/research assignment, the record of accomplishment in the discipline shall be judged in comparison with faculty members with similar years of academic experience at the time when the administrator left a full-time teaching/research assignment.
- (b) Because an administrator may not be current with recent developments in the academic discipline, the committee shall consider if the candidate could function as a typical member of that department within one year after relinquishing the administrative appointment.

~~(C)~~(D) Evaluations. Evaluations of the competencies of each faculty member are made at least annually to determine effectiveness in the performance of duties, and these evaluations shall be transmitted to the faculty member by the department chair or dean. These evaluations are based upon the evidence of appropriate scholarship, the quality of teaching, professional demeanor, the amount and value of continued advanced study, the worth of research and publications, professional recognition received, and service to the university and community.

~~(D)~~ Leaves of absence.

- ~~(1) — The university does not have a program of sabbatical leaves. However, the board in August 1977, pursuant to the authority provided in the passage by the Ohio General Assembly of Amended House Bill no. 712 in 1976, adopted a faculty improvement program (leaves with compensation) which had been endorsed by university council in April 1977. The details of this program included in rule 3359-11-04 of the Administrative Code applies only to eligible faculty in the school of law. Professional leave for bargaining unit faculty is defined in article 18 of the collective bargaining agreement between the university of Akron and the Akron AAUP.~~
- ~~(2) — In certain circumstances, leaves of absence without compensation may be granted by the board upon recommendation of the president~~

~~to all university employees except bargaining unit faculty as defined by the collective bargaining agreement between the university of Akron and Akron AAUP. For details, see rule 3359-11-02 of the Administrative Code.~~

~~(3) No member of the faculty shall be absent from proper duties at the university for any cause other than sickness, except upon permission of the president, upon recommendation of the appropriate dean or administrative superior.~~

~~(E) Sick leave.~~

~~The sick leave policy for all university employees is provided in either their respective bargaining agreements or is detailed in rule 3359-11-01 of the Administrative Code.~~

~~(F) Academic year and vacations. The academic year begins on the first day of classes in the fall semester and continues through spring semester commencement. Faculty members on academic year contract shall be on duty during fall and spring semesters, continuing through the date that grades are due, and shall be entitled to all academic vacations during that period. School of Law faculty members and designated others on a twelve month basis shall have twenty-two days of vacation to be accrued and used in accordance with the vacation policy in rule 3359-11-03 of the Administrative Code.~~

~~(G) Retirement.~~

~~(1) Faculty and staff shall not be involuntarily retired from the university based on age except in the following cases:~~

~~(a) Those employees who qualify as executive or high policy making employees, as defined by law, shall continue to be involuntarily retired at age sixty five.~~

~~(b) Law enforcement officers and fire fighters shall be involuntarily retired not later than age sixty five or at an earlier date, in the event an individual's physical and mental fitness contraindicates the ability and competency to perform the requirements of the job.~~

- ~~(2) — The university has a particular program of limited employment after retirement which is offered and coordinated with the appropriate Ohio retirement system (see rule 3359-11-15 of the Administrative Code). Any person who wishes to seek participation in such program should contact human resources for information concerning this program.~~
- ~~(3) — Any faculty member or member of the administrative staff who proposes to retire from the university of Akron should give notice early enough to avoid serious interruption to the university operation, the length of time necessarily varying from the circumstances of the faculty member's particular case but the minimum time should be four months before termination of employment. For details, see rule 3359-20-034 of the Administrative Code.~~

~~(H) Retirement allowance, pensions, insurance, disability benefits.~~

- ~~(1) — All full-time teachers and administrative personnel with academic rank are members of an Ohio retirement system and are required to deposit through payroll deductions an amount of their gross university earnings as established by the system. The university contributes to the retirement system an amount required by the system.~~
- ~~(2) — Retirement provisions, insurance, disability and other benefits are described in booklets which are available to all faculty members.~~
- ~~(3) — When a leave of absence has been granted by the board, a person may, subsequent to such absence, and in accordance with the rules and procedures of the appropriate retirement system, apply for permission to make up deposits for the time on leave. If the retirement system approves the request, the university will make up the employer cost.~~
- ~~(4) — The university provides health and life insurance programs which are from time to time revised.~~

~~(I) Resignation or retirement. (see also rule 3359 20 034 of the Administrative Code)~~

~~Any faculty member or member of the administrative staff who proposes to resign or retire from the university should give sufficient notice to obviate serious embarrassment and difficulty to the university in filling the position. The length of time may vary with the circumstances of the particular situation, but the minimum time should be four months prior to the termination of employment.~~

Effective: ~~October 22, 2010~~

Certification: _____
 Ted A. Mallo
 Secretary
 Board of Trustees

Prom. Under: 111.15

Statutory Auth: Ch. 3359

Rule Amp: Ch. 3359

Prior effective dates: 11/4/77, 11/27/79, 1/30/87, 12/22/89, 7/20/90,
5/22/91, 9/21/95, 8/9/96, 9/15/98, 10/14/01, 12/28/01,
6/25/07, 10/22/10