

**SAN JOSE STATE UNIVERSITY
ONE WASHINGTON SQUARE
SAN JOSE, CA 95192**

**S15-6, University Policy, Appointment of Regular Faculty
Employees**

Legislative History:

Amends S98-8

At its meeting of April 27, 2015, the Academic Senate approved the following policy recommendation presented by Senator Peter for the Professional Standards Committee. This policy replaces only Section IV of University Policy S98-8, the Appointment, Retention, Tenure, and Promotion Criteria, Standards and Procedures for Regular Faculty Employees. This policy was approved by President Mohammad Qayoumi on June 18, 2015 and was effective for the Fall 2015 semester.

Amendment A to University Policy S15-6 was approved by the Academic Senate on April 25, 2016 and signed by Interim President Susan W. Martin on May 2, 2016. Amendment A clarified procedures for recruitment committees.

Amendment B to University Policy S15-6 was approved by the Academic Senate on November 21, 2016 and was signed by President Mary A. Papazian on November 30, 2016. Amendment B clarifies the composition of faculty recruitment committees.

Amendment C to University Policy S15-6 was approved by the Academic Senate on December 7, 2020 and was signed by President Mary A. Papazian on January 14, 2021. Amendment C removed language that excluded the College of International and Extended Studies.

Amendment D to University Policy S15-6 was approved by the Academic Senate on February 8, 2021 and was signed by President Mary A. Papazian on March 10, 2021. Amendment D provides for joint RTP committees for joint appointments.

Amendments A, B, C and D are incorporated into the policy as follows.

University Policy Appointment of Regular Faculty Employees (Includes Amendments A, B, C and D)

- Resolved: That Section IV “Initial Appointment” of S98-8 be deleted; be it further
- Resolved: That the following policy be adopted to govern the appointment of regular faculty effective for Fall 2015 Semester.
- Rationale: Many faculty are unaware that the S98-8 includes the policy for appointing new faculty-- since it is not immediately obvious that appointment procedures would be buried in a document more commonly used for RTP purposes.

As part of the Professional Standards committee’s efforts to modernize all parts of our University’s largest and most complicated policy, we have separated the appointments portion for easier and more convenient use. This will also have the advantage of shortening the RTP policy and making it more focused on the issues to which it is more commonly applied.

The draft of this appointment policy was previously circulated for a 1st Reading to the Senate as part of the larger ARTP policy on April 6.

- Approved: (April 13, 2015)
Vote: (8-0-0)
Present: (Peter, Green, Lee, Mathur, Fatoohi, Riley, White, Dresser)
Absent: (Fujimoto, Romero)
Financial Impact: No known additional impacts.
Workload Impact: No known additional impacts, unless the greater availability of the policy prevents errors in searches.

APPOINTMENT OF REGULAR FACULTY EMPLOYEES

- 1.0 Purpose: The present document is the policy of San José State University concerning the appointment of all regular or tenure-track Unit 3 faculty in the university. This includes Professors, Librarians, and Counselors. No person shall be offered a probationary or advanced appointment unless the appointment has been recommended by an appropriate faculty committee, generally the department's elected recruitment committee.
 - 1.1 When the document uses the term Professor, or Associate Professor, or Assistant Professor it applies to the equivalent titles in the other professions, such as for Counselors (Student Services Professional - Academic Related I, II, and III), or Librarian, Associate Librarian, or Senior Assistant Librarian.
 - 1.2 When this document refers to colleges it means those academic units that are home to Unit 3 tenure/tenure track faculty.
- 2.0 Standards for Initial Appointment
 - 2.1 Promise of excellence. Candidates for initial appointment to probationary positions should be carefully reviewed so that new faculty members will not merely fill positions but will bring to the university intellectual distinction and the potential for tenure and eventual promotion to advanced rank. Candidates for appointment should come fully prepared and ready for a university career, with the promise of excellence and a commitment to teaching, service to the University, and to contributing to scholarly/artistic/professional activities.
 - 2.2 Terminal degree. Initial appointment to a probationary position normally requires possession of the doctorate or appropriate terminal degree from an accredited institution.
 - 2.2.1 In unusual circumstances, persons may be appointed who are close to completing the required terminal degree, with retention dependent upon completion.
 - 2.2.2 An exception to the terminal degree requirement may also be made in the case of distinguished individuals with significant scholarly/artistic/professional accomplishments in their field, or whose achievements make a unique ability available to the campus. In such cases, the basis of the exception shall be made a permanent part of the faculty member's file, and the decision recorded whether or not possession of the terminal degree is to be expected for tenure or promotion to advanced rank.

- 2.3 Standards for award of probationary credit. Probationary credit of up to two years may be awarded by the President at the time of appointment.
 - 2.3.1 Probationary credit will be awarded only upon the recommendation of the department and the dean.
 - 2.3.2 Probationary credit should only be granted in consideration for a candidate's previous service and achievement in teaching and in scholarly/artistic/professional activities at a post-secondary education institution, previous CSU employment, or comparable experience.
 - 2.3.3 Faculty Affairs shall instruct Deans, Chairs, and search committees on the appropriate way to discuss the probationary period with candidates, including hazards and benefits of probationary credit and the relevant timelines for tenure and promotion.
 - 2.3.4 The probationary period cannot commence until the receipt of the terminal degree.
- 2.4 Standards for appointment at the rank of Associate, or at the rank of Professor, or appointment with tenure.
 - 2.4.1 Appointments at advanced rank or to a tenured position require that candidates show evidence of accomplishments normally expected for the level of the appointment. Recruitment committees shall require applicants to submit portfolios that go beyond a simple vita and cover accomplishments in all three categories of achievement.
 - 2.4.2 In addition to the normal appointment requirements, appointment at advanced rank or with tenure requires that the Department Retention, Tenure, and Promotion (RTP) committee review the candidate's materials and approve the level or tenure of the appointment.
 - 2.4.3 Faculty appointed at the rank of Professor must also be appointed with tenure.

3.0 Procedures for Initial Appointment

- 3.1 All recruitment shall be carried out in accordance with the university's current policies on diversity and equal opportunity (S01-13 Commitment to a Campus Climate that Values Diversity and Equal Opportunity or its successor policy.)

3.2 Composition of department recruitment committees

- 3.2.1 Recruitment committees shall be elected by vote of the tenured and probationary faculty of the department by secret ballot.
- 3.2.2 The size of the recruitment committee shall be determined by the department, and should preferably contain a minimum of five members but never fewer than three members. Departments may elect members to a recruitment committee from a related discipline outside their department whose willingness should first be ascertained. Such an election is required if needed to achieve a minimum of three committee members, but may also be used to broaden the expertise or diversity of the committee. The department which will be home to the prospective position must always supply the majority of the members of any recruitment committee, unless it lacks at least two faculty of appropriate rank to serve.
- 3.2.3 The majority of faculty on any recruitment committee must be tenured and must not have entered an early retirement program. Probationary faculty and faculty in an early retirement program may serve if elected, provided they do not constitute a majority of the committee, and provided that they receive the permission of the President as per the Collective Bargaining Agreement (12.22).¹ That permission must be requested by the Department and is reviewed by the Dean and Faculty Affairs.
- 3.2.4 If a search is authorized for a tenured position, then the recruitment committee may not include probationary faculty.
- 3.2.5 The Chair of the Department shall normally be a voting *ex officio* member of the recruitment committee and shall Chair the committee. If the Chair elects not to serve, then the committee shall choose its own Chair from among its elected members.
- 3.2.6 Departments may create independent recruitment committees for each search, or carry out all searches with a standing recruitment committee, provided all recruitment committees conform to the requirements of policy.
- 3.2.7 Recruitments for department chairs should be conducted in accordance with the provisions of University Policy F17-3.

3.3 Recruitment committee procedures.

¹ CFA/CSU Collective Bargaining Agreement, 2014-2017.

- 3.3.1 Recruitment committees shall be charged by the Dean or the Dean's designee and shall sign an appropriate agreement to protect the confidentiality of candidate applications.
- 3.3.2 Faculty Affairs will provide all recruitment committees with comprehensive guidelines for organizing the recruiting process.
- 3.3.3 Recruitment committees shall evaluate all candidates for appointments to regular positions and determine the order of desirability of finalists for the position. The recommendation of a recruitment committee shall be approved by a simple majority of the committee; abstentions will not be counted when determining the committee recommendation. Abstentions will be counted as "present" for the purposes of establishing a quorum.
 - 3.3.3.1 Committees shall provide a clear rationale for their recommendations to the Dean and to Faculty Affairs. The committee vote and the written recommendations of the committee, including the order of desirability of finalists, shall be recorded, shared with, and signed by all committee members. Reasons shall be stated for all votes cast. A statement of the reasons shall be included in a single report from the committee, with the possibility of a separate "minority" report. In either case, the confidentiality of voting shall be maintained, and signatures on the report(s) shall not indicate how individual members voted when recommendations are not unanimous.
 - 3.3.3.2 Normally, offers shall be extended to candidates in the order recommended by the committee. If, however, information emerges after the committee makes its recommendation (e.g., a subsequent reference check) that calls the order of desirability into question, the committee shall be given the opportunity to change its recommendation.
 - 3.3.3.3 In the event that the President (and his designees) cannot (for any reason) accept the recommendation of the committee, the search will be cancelled.

4.0 Retreat Rights.

- 4.1 Persons to be employed initially in academic-administrative assignments with retreat rights to a department or program shall be reviewed and must receive a favorable recommendation from the appropriate personnel

committee of the department in which tenure must be acquired before retreat rights are granted.

- 4.2 Prior to making a recommendation on retreat rights, departments shall receive in writing, from an appropriate administrative level, an explanation of any possible budgetary consequences for their department should the retreat rights be exercised.

5.0 Appointment letters

- 5.1 Appointment letters shall be written by the college dean in consultation with the chair of the department.
- 5.2 Appointment letters must be approved by the Office of the Associate Vice President for Faculty Affairs, who shall also provide suitable templates to the Colleges.
- 5.3 The letter shall reference the relevant university policies and department guideline regarding the criteria and standards for retention, tenure, and promotion.
- 5.4 Appointment letters may summarize and clarify how the expectations contained in policy and guidelines will apply to a faculty member, but the letter may not change or contradict the standards. If there is a perceived conflict between an appointment letter and university policies, the policy language shall take precedence.
- 5.5 Any subsequent change in the particular character of a faculty member's academic assignment shall be made in writing and approved by the faculty member, the department chair, the college dean, and the AVP for Faculty Affairs. An addendum to the appointment letter must then be included in the personnel action file and in subsequent dossiers. Faculty who believe their academic assignment has significantly changed may request a review of their appointment letter by submitting a written request to their Chair. It is their responsibility to submit any such requests according to published timelines.
- 5.6 A joint appointment occurs when an appointment letter specifies that a faculty member will have duties in more than one department or equivalent unit. The letter shall determine the parameters of the assignment shared between the relevant departments as per the CBA (12.1), and the letter should indicate which department will be the home department.