ARTICLE FOURTEEN
FACULTY APPOINTMENT, REAPPOINTMENT,
ROLLING APPOINTMENT, NON-ROLLING APPOINTMENT,
NON-REAPPOINTMENT, AND TERMINATION

14.1 No Faculty member shall be appointed under terms or with title other than those described in this Agreement without the written permission of the Federation.

14.2 Procedure for Appointment of Full-Time Faculty

14.2.1 In determining the academic areas in which full-time Faculty are to be hired, the Provost, in consultation with the Dean and the President, shall consider current and new program needs and other factors relating to the effective pursuit of the mission and goals of the University and sustainability of the University. New appointments shall be made by the Provost subject to the approval of the President and the Board of Trustees.

14.2.2 Search Committees for New Faculty Members

14.2.2.1 When an appointment of a full-time Faculty member is to be made, it will be the responsibility of the Division Chair, in consultation with the Dean, to organize an appropriately constituted search committee.

14.2.2.2 Such committees are to consist of at least three (3) full-time Faculty members of the Division, including one male and one female Faculty. Members may be from other divisions to satisfy the male or female criterion.

14.2.2.3 The Division Chair, in consultation with the Dean, and with the assistance of the search committee, will develop a description of the qualifications for the position to be filled.

14.2.2.4 The Human Resources Department will solicit applications for the position in accordance with established employment policies and procedures. The Division Chair, assisted by members of the search committee, may also informally solicit applications for the position.

14.2.2.5 The Division Chair, with the assistance of the search committee, will screen all applications and select a minimum of two (2) qualified finalists to recommend to the Dean and the Provost. In the event only one candidate is deemed qualified, the Division Chair will prepare for the Dean and Provost an explanation for this recommendation.
14.2.2.6 The Division Chair, with the assistance of the search committee, will interview all finalists, as will the Dean and Provost, who will meet with them separately.

14.2.2.7 The Division Chair, after having obtained the advice of the search committee, will make recommendations to the Provost via the Dean regarding hiring of the new Faculty member.

14.2.2.8 This procedure shall be followed whenever a full-time Faculty position is to be filled and whenever a Visiting Faculty position becomes a full-time Faculty position. Any Faculty member appointed through a procedure other than that specified in the Agreement existing at the time of hiring shall not be eligible for rolling appointments or promotion until such procedures have been followed for the position in question.

14.2.3 Offers of appointment to the Faculty shall in all cases be tendered in writing and shall include therein, or by reference, a statement of the full terms and conditions of appointment.

14.2.4 Acceptance of an appointment shall be given in writing not more than ten (10) days following the notification date unless the candidate requests and receives an additional 10 days from the Provost. Failure of the individual to accept within twenty (20) days the offer of appointment shall constitute non-acceptance.

14.2.5 A full-time Faculty member's term of appointment shall be for not less than one year. This requirement does not apply to the appointment of Visiting Faculty.

14.3 Procedures of Reappointment of Full-Time Faculty

14.3.1 Reappointments shall be made by the Provost subject to the approval of the President.

14.3.2 It shall be the responsibility of the Division Chair, if requested by the Dean, to make recommendations to the Dean regarding the reappointment of Faculty members. The Dean will, in turn, make his/her recommendations to the Provost.

14.3.3 Offers of reappointment to the Faculty shall in all cases be tendered in writing and shall include therein, or by reference, a statement of the full terms and conditions of reappointment. Such offer of reappointment shall
be made available to Faculty members no later than the second Monday in March each year.

14.3.4 Acceptance of reappointment shall be given in writing no later than the second Monday in April of each year by which date the signed acceptance must have been received in the Human Resources Office. Failure of a Faculty member to respond by that date shall constitute resignation from the Faculty without sufficient notice.

14.3.5 Term of Reappointment

  14.3.5.1 The first three one-year contracts are probationary, contingent each year upon satisfactory evaluation by the Division Chair and the Dean.

  14.3.5.2 Faculty members hired prior to January 1, 2012 may request issuance of a two-year rolling appointment during the course of his/her third one-year contract. Faculty members hired on or after January 1, 2012 may request issuance of a two-year rolling appointment during the course of his/her fourth one-year contract. Such request shall include a self-evaluation by the Faculty member and an evaluation by the appropriate Division Chair, both of which shall be submitted to the Faculty Affairs Committee. The Faculty Affairs Committee shall submit its recommendation to the Provost, via the Dean, who shall act on the request for issuance of the first two-year rolling contract.

  14.3.5.3 When the Provost determines that a fourth or fifth consecutive one-year appointment is appropriate, in accordance with 14.3.5.2, he/she may, after consultation with the Federation, make the offer of the fifth one-year contract stating the areas of needed improvement. Failure to make the required improvements during the course of the fifth year of employment will result in non-reappointment at the end of that year.

  14.3.5.4 When a two-year rolling appointment has been awarded, it shall continue to roll until the full-time Faculty member has requested and received a three-year rolling appointment. Faculty members hired prior to January 1, 2012 may request issuance of a three-year rolling appointment as early as the fifth year for implementation in the sixth year, except that those faculty who have had four one-year contracts may request a three-year contract no sooner than the sixth year for implementation in the seventh. Faculty members hired on or after January 1, 2012 may request issuance of a three-year rolling
appointment as early as the seventh year for implementation in the eighth year, except that those faculty who have had five one-year contracts may request a three-year contract no sooner than the eighth year for implementation in the ninth year.

14.3.5.5 Faculty granted a five-year rolling contract under the 1998-2002 Collective Bargaining Agreement (CBA) will retain their status of a five-year rolling contract under the terms of the 2011-2015 CBA.

14.3.5.6 In the event a roll or promotion application is denied, the Provost will communicate his or her decision, including a brief substantive rationale, to the candidate at the time of the denial.

14.4 Procedure of Non-rolling Appointment of Full-Time Faculty

14.4.1 The decision not to continue to roll an appointment of a full-time Faculty member shall be made by the Provost via the Dean subject to the approval of the President.

14.4.2 It shall be the responsibility of the Dean and Provost to adhere to the provisions of Article Thirteen and this Article in making a decision about a non-rolling appointment.

14.4.3 Offers of non-rolling appointments to the Faculty shall in all cases be tendered in writing and shall include therein or by reference a statement of the terms and conditions of, and reasons for, the non-rolling appointment. Such offers of non-rolling appointment shall be made available no later than the second Monday in March each year. If the notification is not picked up by noon of the Friday following the second Monday of March, it will be sent by certified mail, return receipt requested, to the home address of the Faculty member.

14.4.4 Acceptance by the faculty member of a non-rolling appointment shall be tendered in writing by no later than the second Monday of April. Failure of the individual to tender such acceptance shall constitute resignation. In circumstances where the non-roll of the contract is timely submitted to the grievance procedure, the grievance shall not be deemed waived by the Faculty member's signing the non-rolling appointment notification.

14.4.5 The term of the non-rolling appointment shall be for the duration of the previous rolling appointment. “Duration” means the length of the prior rolling appointment. (For example, if a non-rolling appointment is issued
after the first year of a two-year rolling appointment, the “duration” of the non-rolling appointment will be two years.)

14.4.6 Prior to the end of the term of a non-rolling appointment, the individual Faculty member will be notified of non-reappointment to the Faculty. Such notification will be available no later than the second Monday of March. If the notification is not picked up by noon of the Friday following the second Monday of March, it will be sent by certified mail, return receipt requested, to the home address of the Faculty member.

14.5 Procedure of Non-reappointment and Termination of Full-Time Faculty

14.5.1 The decision of non-reappointment or termination of a full-time Faculty member shall be made by the Provost via the Dean subject to the approval of the President.

14.5.2 It shall be the responsibility of the Dean and Provost to adhere to the provisions of Article Thirteen, this Article, and/or Article Fifteen in making the decision.

14.5.3 Notices of non-reappointment or termination shall in all cases be tendered in writing and shall include therein or by direct reference a statement of the specific reasons for non-reappointment or termination. Such notice of non-reappointment or termination shall be sent to the individual's home address by certified mail, return receipt requested. If the action is taken under the provisions of this Article, the postmark shall be no later than the Friday after the second Monday in March. If the action is taken under provisions of Article Fifteen, the mailing shall be postmarked no later than thirty (30) days following the date on which the Provost, and/or the President could reasonably be expected to have taken action.

14.5.4 Termination under the provision of Article Fifteen may be immediate and without severance pay.