RESOLUTION concerning CONTINUING APPOINTMENTS

May 7, 1976

WHEREAS, Certain ambiguities exist concerning the eligibility on the part of persons who serve in administrative capacities and who were employed by the Board after May 17, 1971, but prior to April 11, 1975; and

WHEREAS, The Board desires such persons who would otherwise be eligible to earn a continuing appointment to have the opportunity to gain a continuing appointment; therefore, be it

RESOLVED, That such persons are eligible to earn continuing appointments within an administrative department or an administrative area of the College at which they serve, and, that the policies and procedures for determining whether such persons shall be granted a continuing appointment shall be those used for persons employed in similar capacities after April 11, 1975; and be it further

RESOLVED, That for such persons the time of service used for determining eligibility for a continuing appointment and for determining the date for a termination of services should a decision be made not to award a continuing appointment shall begin with the date on which the person was employed at the College where he or she is now serving.

A Certified True Copy:

James A. Frost
Executive Secretary
May 11, 1976

TO: College Presidents: Dr. R. H. Bersi
     Dr. P. D. James
     Dr. M. Van E. Jennings
     Dr. C. R. Webb

Enclosed are sufficient copies of the following resolutions for your use:

   SCR#76- 32, 33, 34, 35, 39, 40, 42 & 43.

JAF.gch
enc.

James A. Frost
Executive Secretary
RESOLUTION
CONCERNING
CONTINUING APPOINTMENTS
APRIL 7, 1976

WHEREAS, certain ambiguities exist concerning the eligibility on the part of persons who serve in administrative capacities and who were employed by the Board after May 17, 1971, but prior to April 11, 1975, and

WHEREAS, the Board desires such persons who would otherwise be eligible to earn a continuing appointment to have the opportunity to gain a continuing appointment, therefore be it

RESOLVED, that such persons are eligible to earn continuing appointments within an administrative department or an administrative area of the College at which they serve, and, that the policies and procedures for determining whether such persons shall be granted a continuing appointment shall be those used for persons employed in similar capacities after April 11, 1975, and be it further

RESOLVED, that for such persons the time of service used for determining eligibility for a continuing appointment and for determining the date for a termination of services should a decision be made not to award a continuing appointment shall begin with the date on which the person was employed at the College where he or she is now serving.
TO: Dr. Clinton M. Ritchie, Executive Officer
    for Academic Affairs
    Board of Trustees for the State Colleges

FROM: F. Don James, President

At the recent meeting of the Council of Presidents I brought up a concern regarding tenure or continuing appointment status for individuals appointed in our Area of Student Affairs at Central between the dates of May 7, 1971 and April 11, 1975. As we have reviewed the status of these persons at our college, we feel there is further clarification that is necessary. At the Council of Presidents meeting several felt that under the present policies the President has the authority to recommend either tenure or continuing appointment for these persons but it was agreed that I would raise the matter with you for your perusal and recommendation.

The group of individuals about which I am concerned include four individuals who were "bootleg" appointments in this period; viz., they were appointed in an instructional faculty rank position but were performing an Administrative function. For purposes of tenure these individuals fall under Part III, Section 1, letter H. (revised 7 May 1971 which states in part, "Faculty members except for Librarians must ordinarily have the minimum rank of Assistant Professor to be eligible for tenure.") Since no one in this group was hired at the rank of Assistant Professor, no provisions for tenure or continuing appointment exists for these individuals unless we of course, follow the possible exception granted and place them on tenure through their previous appointment at the Instructor level. These persons are all now on regular 12-month administrative positions.

There are seven of these individuals who were appointed to twelve-month administrative positions in the period between May 7, 1971 and April 11, 1975. They fall under Part II, Section I, letter L (revised 7 May 1971)
which reads "Persons not currently employed in the colleges but here-
after appointed to positions by the Board of Trustees as administrative,
shall not hold tenure except as they may subsequently earn it as a faculty
member assigned to a department, institute or division of a college."
While Student Affairs can be defined as a department or division of a
college, and in fact, has been for persons already granted tenure or con-
tinuing appointment, I am requesting further clarification. At the Council
of Presidents it was suggested that that is flexible enough that we may
assume that we can appoint these individuals to the Division of Student
Affairs for purposes of tenure or continuing appointment.

I would appreciate your comments on this. If you feel the policies under
which these persons were hired allow for them to be appointed to positions
of tenure or continuing appointment then I will take such steps. If not,
may I suggest that the following Resolution for approval by the Board of
Trustees would provide the clarification necessary.

"Persons in the unclassified service who were hired after May 17,
1971 but prior to April 11, 1975, who do not now have tenure,
and who are assigned to positions other than those of classroom
instructor, may be granted continuing appointments and further
that such continuing appointment shall be within an administrative
department or area of the college."

I will appreciate your reviewing this matter, Clint, and would be glad to
talk with you at any time about it.

F. Don James
President

fdj:ma