3359-20-03.10 **Guidelines for initial appointment, reappointment, tenure, and promotion of full-time faculty in the school of law.**

(A) Categories of full-time faculty.

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

(1) Tenured and tenure-track law school faculty.

(a) The tenured and tenure-track faculty of the law school is composed of all full-time law school faculty who have been awarded indefinite tenure or are eligible to be awarded indefinite tenure. Such faculty hold the rank of professor, associate professor, or assistant professor or the title of distinguished professor.

(b) Members of the tenured or tenure-track law school 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 law school faculty (NTTLS faculty).

(a) The non-tenure-track law school faculty comprises all clinical professors of law library professors, 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, assistant professor of legal writing, assistant library professor, associate library professor, or library professor. The expectation for NTTLS faculty positions is that the positions 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) Members of the non-tenure-track law school 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, to the extent determined appropriate by the law school.

(B) Nature of appointment of full-time school of law faculty.

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 school of law faculty:

(1) University school of law 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 one year in appropriate circumstances, as determined by the board.

(2) Unless the university has awarded tenure or a fixed-term contract, all appointments of full-time faculty are on an annual, temporary, or probationary basis, renewable each academic year at the discretion of the university.

(3) Non-tenure-track law school 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 in paragraphs (B)(4) and (B)(5) of this rule.

(4) The board may grant fixed-term appointments longer than one year to NTTLS 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. Except as set out in paragraph (B)(5) of this rule, these appointments create no expectation of reappointment, and the board may decline to reappoint an incumbent in its sole discretion.

(5) The board may grant fixed-term appointments as set out in paragraph (B)(4) of this rule 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 paragraphs (B)(4) and (B)(5) of this rule.

(6) Upon appointment, every faculty member receives from the secretary or assistant secretary of the board of trustees a certificate or letter of appointment as tenured or tenure-track or non-tenure track law school faculty stating the rank or designation appropriate to the faculty member's status, annual salary or periodic salary if part-time, and length of appointment.

(7) Academic year and vacations. The academic year begins on the first day of classes in the fall semester and continues through spring semester commencement. Full-time law school faculty members on an academic year contract shall be expected to 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, but shall not earn or accrue any other vacation credits. Full-time law school faculty and designated others with academic rank serving on a twelve-month contract 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.

(C) Procedures for initial appointment of school of law faculty.

(1) The dean shall submit a request for a faculty position to the provost. This request shall include: a strategic rationale for the position; its relationship to the goals and direction that the university is pursuing; a description of the duties and responsibilities of the position; and a suggested makeup of the search committee membership with a rationale that takes into account the areas of academic expertise of the suggested committee members with respect to the areas upon which the search is concentrated.

(2) The provost (or designee) may seek further information or clarification from the dean. Approval of a position request may include modifications to the request, including the addition of committee members. If the provost gives his/her approval, the search committee shall be formed.

(3) The search committee shall develop a search plan in conformity with legal requirements and university and school of law guidelines.

(a) The offices of the provost and human resources shall approve the plan or recommend changes as deemed appropriate. If changes to the search plan are recommended, representatives from these offices will communicate and discuss the changes with the search committee chair.

(b) The search committee shall execute the approved plan in conformity with legal requirements and university and school of law guidelines.

(4) Approval of candidates.

(a) The process of initial appointment is defined as a deliberative process. Therefore, those eligible who do not participate in or attend the deliberations are not permitted to vote. The law school's guidelines may

allow for absentee ballots in extenuating circumstances for persons who have been participants in the deliberations.

(b) After the completion of the interview process, the school of law faculty shall select by secret ballot candidates to recommend for appointment. A simple majority vote is required. The faculty should recommend more than one candidate in priority order.

(c) The search committee will generate a recommendation to the dean relaying the votes and ranking by the faculty as well as supporting evidence such as lists of perceived strengths and weaknesses of each candidate. In cases of appointment at advanced rank with or without tenure, the supporting evidence shall indicate how the candidates meet the rank/tenure criteria and reflect an additional positive vote by those in the school eligible to vote on said rank/tenure.

(d) The dean shall make a separate recommendation with regard to which candidates to recommend for appointment/rank/tenure, and both recommendations shall be forwarded to the provost by the dean.

(e) If the provost approves making offers to any of the candidates recommended for appointment, that information shall be transmitted to the dean. Otherwise, the search will either be reopened, or declared failed, by the provost. If approval to make an offer to a candidate is granted, the candidate may be contacted by the dean and offered employment at the university pending approval of the board. The provost's approval of, and countersignature on, all letters of offer are required.

(f) The appointment of faculty members is subject to the approval of the board. No officer, dean, committee, or other such entity shall have the authority to employ, set the compensation or other terms of employment except the board. All offers of employment shall be subject to this condition.

(D) Reappointment and tenure.

(1) All full-time law school faculty are subject to annual reappointment following their initial appointment until any grant of tenure or long-term appointment, except that in their first year of service they shall not be reviewed for reappointment.

(2) Tenure-track faculty may receive indefinite tenure, according to the following provisions:

(a) Faculty on the tenure track may be granted indefinite tenure. That is, they may be appointed for an indefinite term without the necessity of reappointment each year. A faculty member on the tenure-track may be granted tenure not later than the end of the twelfth full semester of active service on the tenure track at the university subject to the conditions outlined in this rule.

(i) If tenure is granted, it shall be effective either at the beginning of the academic year of service after which the candidate was recommended for tenure, or as specified in the certificate of appointment issued by the board.

(ii) If at the end of six years (twelve semesters) in a tenure-track position, indefinite tenure has not been received, notice shall be given that employment terminates at the end of the seventh year of service.

(b) Full-time appointment for two semesters shall equal one year of active service. Summer sessions or leaves without compensation granted for one-half or more of any semester may not be counted toward the probationary period for tenure. Leaves for professional development count toward the probationary period for tenure.

(c) A candidate’s application for indefinite tenure shall normally be initiated during the tenth full semester of active service. For faculty starting at the beginning of the fall semester, the application will be made at the beginning of their eleventh semester.

(d) In cases where there are clearly extenuating circumstances, the probationary period may be extended by one year provided that the request is initiated by the candidate, recommended by the dean, and approved by the provost.

(e) Faculty must have U. S. citizenship or permanent residency to receive tenure. The university shall in good faith endeavor to petition for such status for those individuals who need it, and to extend the probationary period for those tenure candidates whose applications for permanent residency have not yet been approved.

(f) Early tenure may be granted before the sixth year, contingent upon the candidate's successful completion of the following criteria:

(i) The candidate shall have completed at least two years of active service at the university before application for early tenure can be made.

(ii) The candidate must at least meet the minimum school of law criteria for tenure.

(iii) The school of law tenure committee shall vote to determine if the candidate may apply for early tenure. The decision of the tenure committee is final and cannot be appealed.

(g) A candidate may apply for early tenure only once. Should early tenure be denied, the candidate shall be awarded reappointment for the next academic year, and shall complete the time remaining in the standard probationary period before making reapplication for tenure.

(h) In exceptional circumstances, the board may grant indefinite tenure upon initial appointment to scholars who are nationally or internationally recognized and only upon the affirmative recommendation of the tenure committee and dean, the provost and the president.

(i) Faculty who hold the rank of assistant professor may be awarded tenure only if they are granted promotion to associate professor at the same time.

(j) Faculty who hold the rank of associate professor without tenure may seek and be awarded tenure without promotion.

(3) Notification of appointment, reappointment, tenure, and promotion of faculty shall occur as follows:

(a) The board usually acts upon recommendations for appointment, reappointment, promotion, and the granting of indefinite tenure at its April meeting.

(b) Recommendations for appointment, reappointment, promotion, and the granting of indefinite tenure may be considered at other board meetings as appropriate.

(c) The appointment, reappointment, tenure, and promotion of faculty are subject to the approval of the board. No officer, dean, committee, or other such entity shall have the authority to employ, set the compensation or other terms of employment except the board. All offers of employment shall be subject to this condition.

(i) Following the board's approval, the secretary or assistant secretary of the board shall send a certificate of appointment detailing the agreement reached between the faculty member and the university. It shall include an endorsement of acceptance that the faculty member shall sign and return to the secretary or assistant secretary of the board within the time period stipulated.

(ii) In the event a faculty member adds or deletes terms to the certificate of appointment, or fails to sign or return the endorsement, the secretary or assistant secretary of the board shall submit the issue to the board at their next regular meeting for consideration of rescinding the certificate of appointment.

(E) General considerations.

(1) The criteria to be considered for reappointment, tenure and promotion include but are not limited to:

Quality of teaching.

(a) Effective instruction as evidenced by student and peer evaluations and by documented participation in assessment of learning outcomes. Quantitative data from university approved student evaluations of teaching are required.

(b) Effective advising, as appropriate.

(c) Appropriate curricular development.

(d) Participation in activities related to accreditation.

(2) Quality of research and scholarly activity.

(a) Scholarship and/or creative activity as appropriate to the school of law including activities in the discipline and in the scholarship of teaching

and learning.

(i) Publications.

(ii) Presentations, scholarly and creative.

(iii) Grant funding and/or development activity.

(b) Professional development.

(c) Professional recognition.

(3) Quality of service.

(a) To professional organizations, including leadership positions.

(b) To the university.

(c) To the college and/or department.

(d) Discipline related service to the community.

(4) Professional conduct as defined in written standards including but not limited to the following:

(a) Sexual harassment policy of the university.

(b) Conflict of interest, conflict of commitment, scholarly misconduct, and ethical conduct policy of the university.

(c) Affirmative action policy of the university.

(d) Alcohol policy of the university.

(e) Drug-free workplace policy of the university.

(f) Adherence to the "Statement on Professional Ethics" as published by the American association of university professors.

(g) Other professional ethics policies as approved by the American association of university professors committee on professional ethics published by the American association of university professors.

(h) Disseminated codes of conduct and ethics as defined by relevant professional disciplines.

(i) Professional responsibilities as set out in university rules.

(F) The law school shall develop individual criteria for reappointment, tenure, and promotion.

(1) The school of law guidelines shall be available in the office of the dean and the office of the provost.

(2) The guidelines shall comply with the applicable provisions of this rule.

(3) The guidelines shall enumerate the specific materials that are to be included in the candidate's reappointment, tenure, long-term appointment, and promotion file.

(4) The school of law guidelines shall enumerate clear and specific minimum criteria that a candidate must meet to be recommended for reappointment, tenure, long-term appointment, or promotion. Such criteria may include both quantitative and/or qualitative criteria relevant to the school of law.

(5) The school of law may permit promotion to associate professor before tenure. If so, the school of law guidelines shall enumerate clear and specific minimum criteria that a candidate must meet to be recommended for such a promotion. However, such a promotion to associate professor does not guarantee a subsequent recommendation for tenure.

(6) The school of law guidelines shall enumerate clear and specific minimum criteria that clearly distinguish the requirements of the professor rank from those for obtaining tenure.

(7) In case of conflict, the applicable provisions of this rule supersede school of law guidelines.

(G) Approval of guidelines. Guidelines shall be approved before they can be applied to

faculty members.

(1) The guidelines prepared by the school of law must be formally approved by at least two-thirds of its tenure track faculty.

(2) The school of law dean and the provost shall also formally approve the guidelines before they become effective.

(3) The guidelines shall include a process to review and, if necessary, revise them.

(H) Candidate files shall include at least:

(1) A current vita;

(2) Narrative statement by the candidate addressing the meeting of university-wide and school of law criteria;

(3) A table of contents of materials included in the reappointment, tenure, and promotion (RTP) file, which shall be amended to reflect any additions or deletions to the RTP file;

(4) All previous reappointment, tenure, long-term appointment, and promotion recommendations;

(5) Quantitative evidence of work performance, including results of formal teaching evaluations, as well as additional materials required by school of law guidelines (such as peer evaluations of teaching or letters of support);

If required by school of law guidelines, qualitative evidence of work performance, which may include, for example, peer evaluation of teaching, written student evaluation comments (along with the rationale for the material included), letters of support for the candidate (along with provenance of such letters), etc., shall also be included;

(6) Evidence of professional activity;

(7) Evidence of service;

(8) External review letters for tenure and promotion files.

(I) RTP committees must have a quorum present in order to conduct business. For this purpose, a quorum is defined as two-thirds of the eligible members. In the case where there are fewer than six eligible members, a quorum is defined to be at least three members. The faculty of the school of law shall formulate procedures to add committee members from outside the school of law if there are fewer than three eligible faculty in the school of law to form the committee. These procedures shall be included in the RTP guidelines of the school of law.

(J) The processes of RTP are deliberative. Eligible committee members who do not participate in or attend the deliberations shall not be permitted to vote.

(1) To be eligible to vote, a member shall review candidate-submitted materials and shall attend all committee meetings in which the candidate is discussed. Exceptions are as follows:

(a) The committee may, by a majority vote of members present, permit a member who has not attended all meetings, but who has otherwise substantially met the participation standards of the school of law, to vote on the candidate. The reason for the exception shall be included in the committee recommendation.

(b) The school of law guidelines may allow for absentee ballots in extenuating circumstances for persons who are otherwise eligible to vote. The committee may determine eligibility for an absentee ballot by a majority vote of members present and voting. Extenuating circumstances include death in the immediate family, serious illness, and inability to attend due to events beyond one's control. The nature of the extenuating circumstances and the vote shall be included in the committee recommendation.

(2) For the purposes of RTP for the faculty member, a simple majority vote in the affirmative, at the minimum, is necessary for adoption. School of law guidelines may specify additional requirements for a minimum affirmative vote beyond a simple majority. When there is a tie vote, the motion is rejected. While it is the duty of every member who has an opinion on a question to participate in these important deliberations, to arrive at an informed opinion, and to express it by his or her vote, he or she cannot be compelled to do so. He or she may prefer to abstain from voting, fully realizing that the effect is the same as if he or she voted on the prevailing side. Abstentions are not counted in the number of votes cast and are considered blank ballots. However, they are included in the report. For example, a vote of three positive, one negative and seven abstentions represents a seventy-five per cent positive vote and would be reported: three

positive, one negative, seven abstentions.

(K) For purposes of any reappointment, tenure, long-term appointment, or promotion matter, all university employees shall comply with the university's conflict of interest policy and voluntarily remove themselves from any discussion, voting, or participation of any kind when the candidate is:

(1) A member of that faculty member's immediate family (e.g. spouse, son, daughter, or other family member residing in that family member's household).

(2) A member of that faculty member's extended family (e.g. siblings, parents, grandparents, cousins, uncles, aunts, or other next of kin).

(3) Any other person where there would exist the appearance of conflict of interest as defined by university rules.

(L) "Robert's Rules of Order," in the most recent edition, shall be accepted as the authority on all questions of parliamentary procedure.

(M) Calendar of events.

(1) Timeline.

Date(s)	Action Required
By March 15	School of law dean holds organizational meetings to elect chairs of the RTP committees
By April 1	School of law dean sends letters of notification to candidates
By April 15	Candidates send letters of intent to school of law dean - for tenure and promotion applications, the letters of intent shall be accompanied by materials for external reviewers and a list of at least three potential external reviewers submitted by the candidates
Friday of spring semester finals week	Materials sent to external reviewers
Friday of week two of fall semester	Candidates send files to committees; external

	reviewer letters due
Friday of week twelve of fall semester	Committees send recommendations to candidate and school of law dean
Friday of week sixteen of the fall semester	Dean forwards negative recommendations to candidates and the provost, with copy to appropriate committee chairs
Friday of week two of spring semester	Dean forwards positive recommendations to candidates and the provost, with copy to appropriate committee chairs
Friday of week nine of spring semester	Provost forwards negative recommendations to candidates, with copy to dean and relevant committee chairs
First Wednesday in April, usually	Provost forwards positive recommendations to the President and the board, with copy to dean and relevant committee chairs
Fourth Wednesday in April, usually	Board votes on recommendations

(2) In the event that the deadline for completion of a step cannot be met, a request for extension and supporting rationale shall be forwarded to the committee chair, school of law dean, or provost, as appropriate, prior to said deadline. The request and rationale shall be included in the candidate's file.

(a) The committee chair, dean, or provost shall accept or reject the request for extension within one week of its receipt. Rationale for the decision shall be included in the candidate's file.

(b) Extension of the deadline at any level does not automatically extend future deadlines.

(N) RTP procedures.

(1) Candidates who are applying for reappointment, tenure, long-term appointment, or promotion to associate professor shall be evaluated under the school of law criteria in effect at the official date of appointment to the candidate's current position. If the criteria have been revised since the date of the initial appointment, the candidate shall have the option to choose the original or amended criteria under which he/she shall be reviewed. Once a choice is made, the candidate may not reverse his/her decision. However, the candidate

may choose each time criteria are revised and are approved by the provost. It is the responsibility of the candidate to inform the committee in the letter of intent of the criteria set the candidate has elected to be used.

(2) Candidates who are applying for promotion to professor shall be evaluated under the school of law criteria in effect either at the time of the candidate's last official promotion or the school of law criteria in effect five years prior to the candidate's application, whichever is more recent.

(3) Composition of RTP committees: All tenured faculty of the school of law who have completed at least one year of service at the university, including those whose tenure has been approved by the board but whose tenure has not yet become effective, are eligible to serve on reappointment and tenure committees. Only those tenured and with rank above that of the candidate may serve on promotion committees. Distinguished professors are eligible to serve on all RTP committees.

(4) A chairperson, or co-chairs if the committee chooses, shall be elected at the organizational meeting and shall serve for one year. If co-chairs are elected, the duties of the chair shall be divided between the co-chairs. In the remainder of this section, the term "committee chair" refers to the chair or co-chairs.

(5) Committee members shall be responsible for the maintenance of minutes and the documentation of the committee proceedings.

(6) Persons within the college who are required to provide a separate recommendation for a specific candidate (e.g. school of law dean or his/her designees) cannot be a member of that candidate's committee, but may, at the committee's request, attend for informational purposes.

(7) All committee members must review the file and participate in deliberations on each candidate in order to be eligible to vote.

(O) Duties and responsibilities of the RTP committee.

(1) The RTP committees shall review the qualifications of any faculty member of the school of law who has requested reappointment, tenure and/or promotion and shall make recommendations to the school of law dean regarding the granting or denial of the request.

(2) The recommendations shall include documentation of the committee's procedures, a report of the vote, and an explanation of the application of the criteria as established in this rule and the school of law guidelines.

(3) The recommendation letter shall be reviewed and approved by the committee before dissemination. Minority reports are not permitted.

(P) Duties and responsibilities of the dean.

(1) The dean shall evaluate all previous recommendations and materials from the candidate's RTP file to formulate his/her own recommendation.

(2) If the dean's recommendation differs from that of the RTP committee, the dean shall discuss his/her recommendation with the RTP committee.

(3) If procedural error or inadequate consideration is identified at any level, the dean shall act to correct the problem.

(Q) Process for RTP of tenure track faculty members.

(1) The dean shall call an organizational meeting to elect appropriate committee chairs and send out notifications to candidates per the timelines listed in paragraph (M)(1) of this rule.

(2) Faculty in their first year of service shall not be reviewed for reappointment.

(3) Eligible candidates shall submit to the dean a letter of intent to apply for reappointment, tenure and/or promotion per the timelines listed in paragraph (M)(1) of this rule. Those applying for tenure and/or promotion shall also submit external review materials and a list of at least three potential reviewers with the letter of intent. These individuals shall have no perceived conflict of interest, as defined by university rules.

(4) The candidate may withdraw his/her application at any time by submitting a letter to the dean. The dean shall inform all committee members involved in the candidate's RTP review up to that point in time that the application has been withdrawn, and shall retrieve the candidate's file and return it to him/her. External review letters shall be sealed and kept by the school of law dean, and may be used within two years as part of a subsequent application if the candidate and the RTP committee agree.

(5) Each candidate eligible for reappointment, tenure and/or promotion shall submit his/her RTP file to the appropriate committee chair per the timelines listed in paragraph (M)(1) of this rule.

(a) The committee chair shall notify the candidate, all committee members, and the dean of the location and availability of the candidate's file.

(b) The committee chair shall notify the candidate, all committee members, and the dean of any additions to the RTP file. The table of contents shall be amended to reflect any additions.

(c) With the exception of the recommendation letters which are a result of the deliberative process, only the candidate can make additions and/or deletions to the file. Deletions shall be limited to materials submitted by the candidate. The candidate shall amend the table of contents to reflect any additions and/or deletions.

(d) To maintain a quality standard relative to comparable law programs, review of scholarly publications and/or creative activities, external to the university, is required for tenure and/or promotion.

(i) The school of law shall develop instructions for the external reviewer including the materials and bases by which the materials shall be assessed. These instructions will be included in the RTP guidelines of the school.

(ii) A pool of potential reviewers sufficient to guarantee three letters of external review shall be created. The candidate, the RTP committee, and/or the dean may provide names of potential reviewers. The candidate shall be apprised of the full list of names considered by the committee.

(a) It is expected that reviewers will ordinarily be from academic institutions and;

(i) Shall be at or above the requested rank of the candidate;

(ii) Shall be from institutions that are comparable in the discipline.

(b) Reviewers with expertise appropriate to address the

candidate's meeting of the school of law criteria may be from other reputable external organizations relevant to the discipline, for example, from industry, business, or government.

(c) Reviewers shall not be current or former students of the candidate, shall not be a current or former employee of the university, and shall not have any perceived conflict of interest, as defined by university rules.

(iii) The committee, with the approval of the dean, shall select the initial set of reviewers to be solicited, at least one-third of which shall be from the candidate's list.

(iv) If the initial set of reviewers does not yield a sufficient number of responses, the committee shall select subsequent sets of reviewers as needed. These sets may or may not include reviewers from the candidate's list. The committee may consult with the candidate to select these additional reviewers, if it so desires. The dean must approve each subsequent set before the committee may contact the potential reviewers.

(v) Once a set of reviewers has been approved, the committee chair shall contact the reviewers to request review letters bearing the reviewer's affiliation and signature; this contact may include offers of honoraria. These reviews shall not be questionnaires or surveys, but in the form of letters.

(vi) At least three reviews shall be required. The file shall not be considered complete and shall not go forward until three letters of external review have been included. If three reviews have not been received by Wednesday of week eleven of the fall semester, the dean may permit the file to go forward if compelling circumstances, documented by the committee chair, justify the absence of any of the external reviews.

(vii) The committee shall include copies of the text of all requested and received external reviews in the candidate's file.

(a) The identity of the external reviewers and the review letters shall be deemed by the university and the candidate as confidential to the extent permitted by law. No letters of recommendation submitted by university personnel as part

of the candidate's RTP process shall identify the names or affiliations of the external reviewers. In addition, any quotations from external review letters used in any university recommendation letter shall be carefully chosen or redacted so as to not identify the names or affiliations of the external reviewers.

(b) The reviewer shall be apprised that the review may be subject to disclosure under such circumstances including but not limited to subpoena, validly issued court order, or public records request.

(e) The candidate shall provide all materials relevant to external review as determined by the school of law guidelines to the chair of the tenure and/or promotion committee per the timelines listed in paragraph (M)(1) of this rule.

(6) The RTP committee chair shall convene all meetings, other than the organizational meeting referred to in the timelines listed in paragraph (M)(1) of this rule, and preside at these meetings.

(7) The RTP committee chair shall invite the candidate to meet with the committee before the recommendation is made.

(8) The RTP committee chair shall inform the candidate in writing of the committee's recommendation per the timelines listed in paragraph (M)(1) of this rule. Reappointment letters shall include a statement of how the candidate can enhance performance toward meeting the goal of tenure and promotion.

(9) The RTP committee chair shall transmit copies of the committee's recommendations and the candidate's RTP file to the school of law dean per the timelines listed in paragraph (M)(1) of this rule.

(10) The dean shall transmit his/her recommendation to the provost along with the candidate's RTP file per the timelines listed in paragraph (M)(1) of this rule with a copy to the candidate, and the relevant committee chair.

(11) The provost shall transmit his/her recommendation to the candidate per the timelines listed in paragraph (M)(1) of this rule with a copy to the dean and chair of the committee involved in the candidate's review process. The RTP file shall then be returned to the dean, where external review letters shall be removed and stored as part of the candidate's permanent personnel record

before the RTP file is returned to the candidate.

(12) The provost shall transmit his/her positive recommendations to the president. If the president concurs, these recommendations are forwarded to the board for consideration, usually at the April board meeting.

(R) In all cases, the candidate may appeal an adverse decision from the RTP committee, the dean, or the senior vice president and provost to the university faculty rights and responsibilities committee.

(1) During any appeal process, the candidate may appeal only once to the university faculty rights and responsibilities committee. For example, should the candidate appeal the decision of the dean to the university faculty rights and responsibilities committee, he/she cannot then appeal the decision of the senior vice president and provost.

(2) The university faculty rights and responsibilities committee shall follow its own procedures found in rule 3359-20-03.6 of the Administrative Code.

(3) Within two weeks of its final action, the university faculty rights and responsibilities committee shall forward any findings and recommendations to the administrative officer issuing the adverse recommendation under appeal with copies to the candidate.

(4) The president of the university is the candidate's last point of institutional appeal and shall inform all parties of his/her decision within thirty days from receipt of any appeal.

(5) In the case of a violation of the procedures, it is not intended that appointment, reappointment, promotion or tenure be awarded by default.

(S) Distinguished professor.

(1) The title of distinguished professor shall be awarded only to one already at the rank of professor at the university for five or more years. The title of distinguished professor is an honor recognizing a career that demonstrates substantial professional accomplishments.

(a) The school of law shall develop criteria for distinguished professor including those expressed in this rule. Such criteria cannot be implemented without approval by both the dean and the provost.

(b) The nominee shall excel in teaching in the school of law at a level significantly beyond the current expectations for the rank of professor.

(c) The nominee shall excel in scholarly activity (pedagogical or discipline specific) in the school of law at a level significantly beyond the current expectations for the rank of professor.

(d) The nominee shall have made sufficient contributions to the discipline to be nationally recognized.

(2) Nominations for distinguished professor shall be made by tenured or tenure-track members in the school of law. The nomination shall be submitted to the tenured faculty of the school for review and recommendation.

(a) Upon receiving a nomination the dean call a meeting of the tenured members, excluding the nominee, to form the school of law distinguished professor review committee. The committee shall consist of all tenured professors. If there are not at least three tenured professors then tenure-track faculty shall be added to the committee in order of seniority (years of service at the school of law) until there are three committee members. If there are several tenure track faculty with equal seniority whose addition to the committee would raise the membership above three, then names shall be chosen by lot to add to the committee so that the total membership does not exceed three. The committee shall elect a chair from among its members.

(b) The committee shall review the nomination and submit its recommendation - positive or negative to the dean, with a copy to the nominee. A simple majority of those voting is required for a positive recommendation.

(c) The nominee shall have the right to submit clarifications to the letters, to be included in the application. If the nominee wishes, his/her nomination can be withdrawn at this stage.

(3) The nominee shall provide his/her file to this committee, which shall include:

(a) Current vita;

(b) Narrative statement of qualifications;

(c) Supporting documentation which may include letters of support solicited by the nominee;

(d) A proposed list of external reviewers, with at least six entries;

(e) School of law criteria for distinguished professor;

(f) Letters of recommendation by the dean shall include a summary of how the candidate meets the criteria for the title of distinguished professor;

(g) External letters of recommendation:

The committee shall request at least six external letters of recommendation from a list of external nationally recognized individuals in their discipline, including at least two from the nominee's list. The dean may add other references if they so wish.

(i) The list shall include the credentials of the potential reviewers and his/her relationship to the candidate. The list will include all names provided by the nominee as well as any that the school of law tenured faculty and dean provide.

(ii) Letters of request shall include:

(a) School of law criteria for the title of distinguished professor;

(b) Request that the reviewer address the context of the candidate's work as it relates to the discipline;

(c) Candidate's vita and narrative statement;

(d) Due date.

(4) Procedures of the school of law distinguished professor recommendation committee shall be determined by the committee and shall include the following:

(a) The committee shall consider each candidate individually;

(b) Following discussion and deliberation of the individual candidate, the

committee shall vote;

(c) If a two-thirds majority of the review committee votes favorably, it shall forward the recommendation to the provost. Otherwise, the file is returned to the nominee with a statement indicating the rationale for the rejection;

(d) The committee shall forward its positive recommendations to the provost by April first.

(5) Procedures of the school of law distinguished professor recommendation committee may include, but are not limited to the following:

(a) The committee may interview the dean;

(b) The committee may interview the candidate;

(c) The provost shall forward each recommendation, with his/her recommendation, to the president. If the president approves, the recommendation is forwarded to the board for consideration at the next board meeting. Once approved by the board, the title becomes effective at the beginning of the following fall semester;

(d) The successful candidate(s) shall be recognized by the university community at an appropriate public event.

(6) A compensatory award shall be added to the successful nominee's base salary.

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