

11.02 Reappointment and Non-Reappointment of Regular Appointments

- I. Non-reappointment of a unit member on a regular appointment in the first (1st) three (3) years shall be without cause, except for written notice requirements required in Section 11.02. Reasons may be provided at the discretion of the President of the College; neither the reasons nor the decision shall be subject to the grievance procedure. For the fourth (4th) year of regular appointment, the notice of non-reappointment of non-tenured units members shall be subject to the exercise of professional judgment. Such notice shall contain a statement of reasons in writing. Termination in the fourth (4th) year or later of unit members paid from non-state appropriated funds shall be accompanied by a statement of reasons; provided, however, that no statement shall be required if non-reappointment is due to insufficient funds or to the terms of and conditions of the non-state appropriated funding source and provided further that said non-reappointment shall be grievable to Step Two and shall be subject but not arbitrable to the exercise of professional judgment and whether application to the grievant was arbitrary, capricious or unreasonable.
- II. Full-time faculty or professional staff hired subsequent to June 14, 2000 shall be governed by paragraphs A and B below:
 - A. The non-reappointment of a full-time faculty or professional staff member shall be in accordance with the following procedures:
 1. Termination at the end of the first (1st) through fourth (4th) year of service; notice provided by March 1 of that year of service;
 2. Termination at the end of the fifth (5th) year of service or later; notice provided by October 15 of the year of termination.
 - B. Non-reappointment of a unit member on a regular appointment in the first (1st) four (4) years shall be without cause, except for written notice requirements required in Section 11.02. Reasons may be provided at the discretion of the President of the College; neither the reasons nor the decision shall be subject to the grievance procedure. For the fourth (4th) year of regular appointment, the notice of non-reappointment of non-tenured unit members shall be subject to the exercise of professional judgment. Such notice shall contain a statement of reasons in writing. Termination in the fourth (4th) year or later of unit members paid from non-state appropriated funds shall be accompanied by a statement of reasons; provided, however, that no statement shall be required if non-reappointment is due to insufficient funds or to the terms and conditions of the non-state appropriated funding source and provided further that said non-reappointment shall be grievable to step two and shall be subject but not arbitrable to the exercise of professional judgment and whether application to the grievant was arbitrary, capricious or unreasonable.
- III. Paragraphs A, B, C and D shall be of application to faculty and professional staff in the foregoing Section I and II.

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- A. Termination of a unit member in that unit member's fifth (5th) regular appointment or later shall be for just cause.
 - B. Notice shall be in writing given by the President of the College or the President's designee. Any unit member holding a regular appointment who does not receive such notice shall be entitled to inquire of the President of the College as to the failure to give notice. The President of the College or the President's designee shall respond to the inquiry within fourteen (14) calendar days.
 - C. Failure to give proper notice shall constitute reappointment of the unit member. Failure to give proper notice shall constitute reappointment of the unit member for one (1) academic or calendar year, whichever is applicable, but shall not thereby entitle the unit member concerned to academic tenure, to any further appointment with or without academic tenure, or to further notice of non-reappointment.
 - D. Each unit member holding a regular appointment shall notify the President of the College in writing of that unit member's intent to accept or reject a reappointment within thirty (30) days after receipt of notice of reappointment. Failure by the unit member to notify the President of the College of acceptance shall constitute a rejection of reappointment.

11.03 Tenure of Full-time Unit Members

- A. Tenure may be granted by the Employer on recommendation of the President of the College and shall relate only to the specific College and not the entire Community College System.
- B. Eligibility - Tenure Contracts
 1. The unit member must have served at least six (6) full years as a unit member at least three (3) of

1. The unit member must have served at least six (6) full years as a unit member, at least three (3) of which have been in that unit member's current job function.
2. The unit member must have received other than unsatisfactory on that unit member's most recent summary evaluation.

C. Procedures

1. There shall be established by November 21 of each year a Unit Personnel Practices Committee elected by members of the unit. The size and composition of this Committee shall be determined by the President of the College or the President's designee and shall reflect, whenever possible, the ratio of teaching faculty to professional staff in the unit; provided, however, that a unit member shall not serve on the Committee during the year the unit member is a candidate for tenure.