

Chapter 3335-7 Rules of the university faculty concerning clinical/teaching/practice and research faculty appointment, reappointment and nonreappointment, and promotion

3335-7-01 Definition.

Clinical/teaching/practice are faculty appointments of the same type that are fixed term contract appointments that do not entail tenure. ~~Clinical~~These faculty are teacher/practitioners and shall be engaged primarily in teaching activities related to: a) courses or instructional situations involving live patients or live clients, b) courses or instructional situations involving the simulation of live patients or live clients, ~~or~~ c) courses or instructional situations involving professional skills, or d) teaching as defined in Chapter 3335-6-02(A)(2) of the Administrative code.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013)

3335-7-02 Titles.

If individual colleges, schools, and departments with ~~clinical~~clinical/teaching/practice faculty wish to provide ~~clinical~~clinical/teaching/practice faculty with faculty-rank titles, then whatever title is used must be distinct from tenure-track titles (see paragraph (A) of rule 3335-5-19 of the Administrative Code). Titles include instructor, assistant professor, associate professor or professor of clinical (name of college, school, or department), ~~or~~ instructor, assistant professor, associate professor or professor of professional practice of (name of college, school, or department), or instructor, assistant professor, associate professor, or professor of teaching (name of college, school, or department). Exceptions to these titles must be approved by the provost or his/her designee.

(Board approval dates: 7/12/2002, 6/4/2004, 6/1/2007, 6/7/2013, 11/3/2017, 11/16/2018)

3335-7-03 Appointment cap.

Unless an exception is approved by the university senate and the board of trustees, ~~clinical~~clinical/teaching/practice faculty may comprise no more than forty percent of the total tenure-track, ~~clinical~~clinical/teaching/practice and research faculty (as defined in rule 3335-5-19

of the Administrative Code) in each of the colleges of the health sciences and no more than twenty percent of the tenure-track, ~~clinical~~clinical/teaching/practice, and research faculty in all other colleges. In all tenure-initiating units not in health sciences, the number of ~~clinical~~clinical/teaching/practice track faculty members must be fewer than the number of tenure-track faculty members in each unit.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/22/2012, 6/7/2013, 6/6/2014)

3335-7-04 Proposals and approval process.

(A) Proposals to establish or amend a ~~clinical~~clinical/teaching/practice faculty in a college or school reporting directly to Office of Academic Affairs (OAA) must be submitted to the provost by the dean of the college or director of the school reporting directly to OAA. Proposals must include a clear rationale for establishing a ~~clinical~~clinical/teaching/practice faculty and address how the terms and conditions of the appointments will be consistent with the rules set forth in Chapter 3335-7 of the Administrative Code, what titles will be given to ~~clinical~~clinical/teaching/practice faculty, and what department and college governance rights will be extended to ~~clinical~~clinical/teaching/practice faculty. ~~Clinical~~Clinical/teaching/practice faculty may not participate in the promotion and tenure reviews of tenure or research faculty. In addition, proposals must include the following components:

1. A definition of the role in teaching and scope of professional practice duties of ~~clinical~~clinical/teaching/practice faculty, identifying specifically how those differ from duties of tenure-track faculty;
2. Identification of the requirements for a ~~clinical~~clinical/teaching/practice faculty appointment, including appropriate terminal degrees and any credential or licensure requirements; and
3. ~~A list of courses that could be taught by clinical faculty and the relationship of those courses to the general curriculum. The expectation would be that clinical faculty should teach primarily courses involving professional practice in the clinical setting or courses designed to teach professional skills.~~

Proposals must comply with any additional guidelines promulgated by the council on academic affairs and will be reviewed according to criteria specified by the council on academic affairs.

(B) With the exception of changes to existing titles, proposals from a college or school reporting directly to OAA to establish or amend a ~~clinical~~clinical/teaching/practice faculty must be approved by a majority of the tenure-track faculty of the college or school reporting directly to OAA proposing to have a ~~clinical~~clinical/teaching/practice faculty, by the dean of the college or school reporting directly to OAA, by the executive vice president and provost, by the university senate, and by the board of trustees. The executive vice president and provost will

transmit all proposals to the council on academic affairs, which will review proposals and make a recommendation to the university senate. Title changes must be consistent with rule 3335-7-02 of the Administrative Code, but need only be approved by a majority of the tenure track faculty and dean of the college of director of the school reporting directly to OAA proposing the amendment.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/1/2007, 6/7/2007, 6/7/2013)

3335-7-05 Criteria for appointment, for reappointment and nonreappointment, and for promotion.

Clinical/teaching/practice faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. The criteria for appointment, for reappointment and nonreappointment, and for promotion for ~~clinical~~clinical/teaching/practice faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. The criteria must be consistent with the rationale for having ~~clinical~~clinical/teaching/practice faculty in the unit in question and must be distinct from the criteria for tenure-track faculty appointments. However, normally ~~clinical~~clinical/teaching/practice faculty will have an earned doctorate or other terminal degree in the relevant field or equivalent experience. The criteria for appointment, for reappointment and nonreappointment, and for promotion should reflect the importance of the responsibilities of ~~clinical~~clinical/teaching/practice faculty.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/7/2013)

3335-7-06 Procedures for appointment.

Procedures for appointment of ~~clinical~~clinical/teaching/practice faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. Appointments at the rank of associate professor or professor require prior approval of the office of academic affairs.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013)

3335-7-07 Term of appointment.

(A) Contracts must be for a period of at least three years and for no more than five years.

(B) The initial contract is probationary and a ~~clinical~~clinical/teaching/practice faculty member will be informed by the end of each probationary year as to whether he or she will be reappointed for the following year. By the end of the second to final year of the probationary contract, the faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(C) During and until the end of the second and subsequent contract periods, ~~clinical~~clinical/teaching/practice faculty appointments may only be terminated for cause (see rule 3335-5-04 of the Administrative Code) or financial exigency (see rule 3335-5-02.1 of the Administrative Code) and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the ~~clinical~~clinical/teaching/practice faculty member. By the end of the penultimate year of each contract period, the ~~clinical~~clinical/teaching/practice faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(D) The standards of notice set forth in rule 3335-6-08 of the Administrative Code apply to ~~clinical~~clinical/teaching/practice faculty appointments.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/7/2013)

3335-7-08 Annual review, reappointment/nonreappointment, and promotion review procedures.

The procedures for reviewing ~~clinical~~clinical/teaching/practice faculty annually and for reappointment/ nonreappointment and promotion shall be set forth in the relevant college, school or department appointments, promotion, and tenure. ~~document- Procedures for promotion and~~ shall be consistent with review procedures established for tenure-track faculty, including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code with the following exceptions:

(A) The college dean's decision shall be final with respect to reappointment and nonreappointment. Decisions with respect to promotion shall be forwarded to the executive vice president and provost, who shall review the decision consistent with the review procedures established for tenure-track faculty including those set forth in rule 3335-6-04. Any decision of the executive vice president and provost shall be final; and

(B) External evaluations are optional.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013, 11/3/2017)

3335-7-09 Transfers from the tenure track faculty to the ~~clinical~~clinical/teaching/practice faculty.

A college, school, or department may provide for the possibility of transfers from the tenure faculty track to the ~~clinical~~clinical/teaching/practice faculty if appropriate to its circumstances. A unit that permits transfers must abide by the following:

(A) The request for transfer must be initiated by the faculty member in writing and must state clearly how the individual's career goals and activities have changed;

(B) When a tenured faculty member transfers to the ~~clinical~~clinical/teaching/practice faculty, tenure is lost; and

(C) All transfers must be approved by the school director or department chair, the college dean, and the executive vice president and provost.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013)

3335-7-10 Transfers from the ~~clinical~~clinical/teaching/practice faculty to the faculty-track.

Transfers from the ~~clinical~~clinical/teaching/practice faculty to the tenure-track faculty are not permitted. ~~Clinical~~Clinical/teaching/practice faculty may apply for tenure-track positions and compete in regular national searches for such positions.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/7/2013)

3335-7-11 Participation in governance by ~~clinical~~clinical/teaching/practice faculty.

(A) A college or academic unit that appoints ~~clinical~~clinical/teaching/practice faculty determines the level of participation in college and departmental structures.

(B) A college or academic unit that appoints ~~clinical~~clinical/teaching/practice faculty and elects senators may, by vote of at least a majority of all of its tenure-track faculty, determine that the

~~clinical~~clinical/teaching/practice members of its faculty are eligible for election to the university senate.

(C) Following approval by a college or academic unit of eligibility of its ~~clinical~~clinical/teaching/practice faculty for election to the senate under the foregoing paragraph:

1. For purposes of selection of university senators, the electorate for the college or academic unit shall be composed of all tenure-track and ~~clinical~~clinical/teaching/practice faculty.
2. Any ~~clinical~~clinical/teaching/practice faculty member appointed by the college or academic unit may stand for election to serve as a representative in the senate.
3. The minimum and maximum numbers of ~~clinical~~clinical/teaching/practice faculty from each college or academic unit that may serve as representatives in the senate shall be determined by majority vote of tenure-track and ~~clinical~~clinical/teaching/practice faculty appointed by that college or academic unit within the limits provided for in paragraph 4 of this section.
4. One senator or not more than ~~forty five~~forty-five per cent of the senators representing that college or academic unit, whichever is greater, may be ~~clinical~~clinical/teaching/practice faculty of the college or academic unit.

~~4.~~ (D) Clinical/teaching/practice faculty will not be eligible to vote on the promotion or tenure of tenure-track faculty or the promotion of research faculty.

(Board approval dates: 4/4/2008, 6/7/2013)

3335-7-30 Definition.

Research faculty appointments are fixed term contract appointments that do not entail tenure. Research faculty are researchers and shall be engaged in research related to the mission and goals of the academic unit.

(Board approval dates: 6/4/2004, 6/7/2013)

3335-7-31 Titles.

Titles will be research professor of (name of college, school or department), research associate professor, research assistant professor.

(Board approval dates: 6/4/2004, 6/7/2013)

3335-7-32 Criteria for appointment, for reappointment and non-reappointment, and for promotion.

With tenure-track faculty majority approval, research faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. Unless otherwise authorized by a majority vote of the tenure-track faculty in a unit, research faculty must comprise no more than twenty per cent of the number of tenure-track faculty in the unit. In all cases, however, the number of research faculty positions in a unit must constitute a minority with respect to the number of tenure-track faculty in the unit.

The criteria for appointment, reappointment and nonreappointment, and for promotion for research faculty shall be established by the college, school or department making such appointments and shall be set forth in that unit's appointments, promotion and tenure document and approved by a majority vote of the tenure-track faculty of the unit and approved by the office of academic affairs. The criteria must be distinct from the criteria for tenure-track faculty appointments and cannot require classroom teaching. Research faculty will have an earned doctorate or other terminal degree in the relevant field. The criteria for appointment, for reappointment and nonreappointment, and for promotion should reflect the preponderance of responsibilities being in research activities.

(Board approval dates: 6/4/2004, 6/7/2013)

3335-7-33 Procedures for appointment.

Procedures for appointment of research faculty shall be established by the college, school or department making such appointments and set forth in that unit's appointments, promotion, and tenure document and approved by a vote of tenure-track faculty of the unit and the office of academic affairs. Appointments at the rank of research associate professor or research professor require prior approval of the relevant college and the office of academic affairs.

(Board approval dates: 6/4/2004, 6/7/2013)

3335-7-34 Duties and responsibilities.

The primary duty of research faculty is to conduct research. A research faculty member may, but is not required to, participate in limited educational activities in the area of his or her expertise. However, teaching opportunities for each research faculty member must be approved by a majority vote of the TIU's tenure-track faculty. Under no circumstances may a

member of the research faculty be continuously engaged over an extended period in the same instructional activities as tenure-track faculty. An appointment to a research faculty position should not be made to displace or make unnecessary an appointment to a tenure-track faculty position.

(Board approval dates: 6/4/2004, 6/7/2005, 6/7/2013)

3335-7-35 Term of appointment.

(A) Contracts will be for a period of at least one year and for no more than five years.

(B) Contracts must explicitly state the expectations for salary support and generally will require one hundred per cent salary recovery. It is expected that salary recovery/support will be derived from extramural funds.

(C) The initial contract is probationary, and a research faculty member will be informed by the end of each probationary year as to whether he or she will be reappointed for the following year. By the end of the penultimate year of the probationary contract, the research faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(D) During and until the end of the second and subsequent contract periods, research faculty appointments may be terminated for not meeting the terms of the contract (e.g. failure to obtain extramural support for the research). Appointments may also be terminated during a contract period for cause (see rule 3335-5-04 of the Administrative Code), or financial exigency (see rule 3335-5-02.1 of the Administrative Code), and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the research faculty member. By the end of the penultimate year of each contract period, the research faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

(E) The standards of notice set forth in rule 3335-6-08 of the Administrative Code apply to research faculty appointments.

(Board approval dates: 6/4/2004, 6/7/2005, 6/7/2013, 6/6/2014)

3335-7-36 Annual review, reappointment/nonreappointment, and promotion review procedures.

The procedures for reviewing research faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant, tenure-track faculty approved, college, school or department appointments, promotion and tenure document and shall be consistent with review procedures established for tenure-track faculty including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code except that the college dean's decision shall be final with respect to reappointment and non-reappointment. Decisions with respect to promotion shall be forwarded to the executive vice president and provost, who shall review the decision consistent with the review procedures established for tenure-track faculty including those set forth in rule 3335-6-04. Any decision of the executive vice president and provost shall be final.

(Board approval dates: 6/4/2004, 6/7/2013, 11/3/2017)

3335-7-37 Governance rights.

Governance rights within a tenure-initiating unit (TIU) at the local level will be determined by the TIU and will require a vote of its voting faculty.

Research faculty will also be eligible to advise and supervise graduate and postdoctoral students and to be a principal investigator on extramural research grant applications. Approval to advise and supervise graduate students must be obtained from the graduate school as set forth in rule 3335-5-29 and detailed in the graduate school handbook.

Research faculty will not be eligible to vote on the promotion ~~and or~~ tenure of tenure-track faculty or ~~clinical~~ the promotion of clinical/teaching/practice faculty.

(Board approval dates: 6/4/2004, 6/7/2013, 6/6/2014)

3335-7-38 Transfers from the tenure-track faculty to research faculty.

A college, school or department may provide for the possibility of transfer from the tenure-track faculty to the research faculty if appropriate to its circumstances and if provided for in the unit's appointments, promotion and tenure document. A unit that permits transfers must abide by the following:

(A) The request for transfer must be initiated by the tenure-track faculty member in writing and must state clearly how the individual's career goals and activities have changed.

(B) When a tenured faculty member transfers to the research faculty, tenure is relinquished.

(C) The school director or department chairperson, the college dean, and the executive vice president and provost must approve all transfers.

(Board approval dates: 6/4/2004, 6/7/2013)

3335-7-39 Transfers from the research faculty to the tenure-track.

Transfers from the research faculty to the tenure-track faculty are not permitted. However, research faculty may apply for tenure-track positions and compete in regular national searches for such positions.

(Board approval dates: 6/4/2004, 6/7/2013)

3335-7-40 Oversight.

The office of academic affairs will submit an annual report to the university senate detailing the number, funding source, and TIU of research faculty appointments that have been made the previous year. Also included in the report will be the conditions of the appointments including fiscal arrangements. In unusual circumstances, salaries of research faculty may be paid on a temporary basis from funds other than those generated from tuition and subsidy.

(Board approval dates: 6/4/2004, 6/7/2005, 6/7/2013)

3335-5-19 Faculty.

As used in these rules the term "faculty" shall include persons appointed by the board of trustees with tenure-track and non-tenure track titles on full or part-time appointments, with or without salary, and emeritus faculty.

(B) "Non-tenure-track faculty": all faculty positions within the university that are not tenure-track and are not eligible for tenure. This includes the following categories:

1. "Clinical faculty": Clinical/teaching/practice faculty serve under fixed term contracts and their faculty appointments are described in Chapter 3335-7 of the Administrative Code.