March 3, 1991

TO: Academic Vice President, Associate AAVP for Faculty Affairs, Deans, Directors, Department Chairs

FROM: Gail Fullerton, President


Implementation of Trustees Resolutions on Policy and Procedures for Employment of Tenured Faculty beyond Age 70

PURPOSE:

So that San Jose State University will be in compliance with a recent Superior Court decision, I am issuing this Presidential Directive to supplement University Policy S86-4, "Implementation of Trustees Resolutions on Policy and Procedures for Employment of Tenured Faculty Beyond Age 70." This Directive alters neither the timelines nor any of the substantive requirements of S86-4; they are to be met as stipulated. The procedures stated in this Directive are meant to assure tenured faculty seeking certification the due process protections guaranteed by law.

PROCEDURES:

I. Departmental Procedures:

A. Before the commencement of the review, the appropriate Personnel committee shall notify the faculty member seeking certification of what materials will be considered and invite him or her to submit any additional evidence he or she wishes.

B. Before deciding on their recommendation, the committee shall invite the faculty member to meet with them to explain or answer questions regarding the materials considered.

C. Before forwarding their recommendation to the Dean of the School, the committee shall give a copy of the recommendation and the reasons therefor to the faculty member. The reasons shall explicitly state the evidentiary basis for the recommendation.

D. The faculty member may submit a written response or rebuttal to the recommendation, within seven days of
PRESIDENTIAL DIRECTIVE 91-01
IMPLEMENTATION OF TRUSTEES' RESOLUTIONS ON POLICY AND
PROCEDURES FOR EMPLOYMENT OF TENURED FACULTY BEYOND AGE 70
(cont).

its receipt. Such a response should be addressed to
the Dean of the School but submitted to the department.

II School Dean's Procedures:

A. After reviewing the materials, the department's
recommendation, and the faculty member's response (if
any), the Dean of the School shall provide a copy of
his or her recommendation and reasons therefor to the
faculty member. The reasons shall explicitly state the
evidentiary basis for the recommendation.

B. The faculty member may submit a written response
or rebuttal to the Dean's recommendation within seven
(7) days of its receipt. Such a response shall be
addressed to the AAVP for Faculty Affairs but submitted
to the Dean.

C. The Dean of the School shall forward all the
materials considered, the recommendations, and the
faculty member's response (if any) to the AAVP for
Faculty Affairs.

III AAVP for Faculty Affairs' Procedures:

A. After reviewing the materials, the department and
School Dean's recommendations, and the faculty member's
responses, (if any), the AAVP for Faculty Affairs shall
provide a copy of his or her recommendation and reasons
therefor to the faculty member. The reasons shall
explicitly state the evidentiary basis for the
recommendation.

B. The faculty member may submit a written response
or rebuttal to the AAVP for Faculty Affairs' recommendation within seven (7) days of its receipt.
Such a response shall be addressed to the President but
be delivered to the AAVP for Faculty Affairs.

IV President's Procedures:

Upon receipt of all the materials, recommendations, and
the faculty member's responses (if any), the President
shall make a final decision.

cc: Executive Committee, SJSU Academic Senate