



Office of the President • One Washington Square • San Jose, California 95192-0002 • 408/924-1177

March 3, 1991

PD 91-01

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

FROM: Gail Fullerton, President

A handwritten signature in black ink that reads 'Gail Fullerton'.

SUBJECT: Presidential Directive 91-01: Supplements University Policy S86-4.

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

PURPOSE:

So that San José 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 therefore 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 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 therefore 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 therefore 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