

EXHIBIT 51

3359-20-03 The faculty: general personnel policies.

(A) Faculty appointments.

(1) Faculty status.

(a) Regular faculty.

- (i) The regular faculty is composed of all full-time faculty with titles of distinguished professor, professor, associate professor, and assistant professor. Members holding these ranks are eligible to be awarded indefinite tenure. All regular faculty below the rank of distinguished professor are eligible for promotion to a higher rank.
- (ii) Members of the regular faculty generally have a full range of responsibilities to academic units including teaching; research and other creative professional work; service to department, college, and university; and public service related to their areas of expertise.

(b) INSTRUCTOR.

THE INSTRUCTOR RANK IS COMPOSED OF FULL-TIME NON-TENURE TRACK FACULTY. UNLESS OTHERWISE DEFINED IN INDIVIDUAL LETTERS OF ASSIGNMENT OR CERTIFICATES OF APPOINTMENT, MEMBERS OF THE INSTRUCTORS GENERALLY HAVE A FULL RANGE OF RESPONSIBILITIES TO ACADEMIC UNITS INCLUDING TEACHING, RESEARCH AND OTHER CREATIVE PROFESSIONAL WORK; SERVICE TO DEPARTMENT, COLLEGE AND UNIVERSITY; AND PUBLIC SERVICE RELATED TO THEIR AREAS OF EXPERTISE.

INSTRUCTORS ARE SUBJECT TO ANNUAL REVIEW USING THE PROCESS, TIMELINES AND PROCEDURES FOR REGULAR FACULTY AS DETAILED IN RULE CHAPTER 3359-20-03.7 OF THE ADMINISTRATIVE CODE.

AN APPOINTMENT AT THE RANK OF INSTRUCTOR DOES NOT LEAD TO NOR COUNT TOWARD PROMOTION OR TENURE. WHILE MANY INSTRUCTORS MAY BE REAPPOINTED FOR SUCCESSIVE ACADEMIC TERMS, THE APPOINTMENTS AND ANY REAPPOINTMENT CONFER NO EXPECTANCY WHATSOEVER OF CONTINUED EMPLOYMENT. CONTINUED REAPPOINTMENT FOR LONGER THAN SIX YEARS SHALL NOT CONSTITUTE DE FACTO TENURE.

INSTRUCTORS SHALL HAVE FULL VOTING RIGHTS

UNLESS SPECIFICALLY PROHIBITED BY THE ADMINISTRATIVE CODE. FOR EXAMPLE, NON-TENURE TRACK FACULTY SHALL NOT HAVE VOTING RIGHTS IN RETENTION, TENURE, AND PROMOTION PROCEDURES AS LIMITED IN RULE 3359-20-03.7 OF THE ADMINISTRATIVE CODE.

- ~~(b)~~(c) Emeritus faculty. (See also rule 3359-20-04.3 of the Administrative Code.)

The emeritus faculty is composed of all persons with the title of emeritus conferred by the board of trustees. Faculty and contract professionals are eligible for emeritus status upon retirement. The process for approval shall consist of nomination, with the consent of the individual, approval of the regular faculty of the department of principal appointment or the contract professional group of the appropriate unit, and recommendation of the dean of the college or administrator of the contract professional unit, the provost and the president.

- ~~(e)~~(d) The auxiliary faculty.

- (i) The auxiliary faculty is composed of all faculty persons not on the regular faculty, including but not limited to those with visiting appointments, research appointments, part-time appointments, and adjunct appointments. A part-time or adjunct faculty appointment does not lead to nor count toward promotion or tenure. With the agreement of the faculty member, tenured departmental faculty, department chair, dean and provost, a maximum of one year of a visiting or research appointment at professorial rank (assistant professor, associate professor or professor) may count toward promotion and tenure provided there is no break in full-time service.

Participation and voting in departmental affairs by auxiliary faculty is not permitted unless special approval is given by the departmental faculty, department chairs, and dean.

- (ii) Visiting faculty.

- (a) Visiting faculty shall be limited to persons of one of the following descriptions:

- (i) A person on leave from another institution, an eminent scholar or an expert available for a limited period whose primary objective is to pursue teaching, research or to occupy a rotating chair during the appointment.

(ii) A faculty member who is appointed to fill a temporary vacancy caused by a regular faculty member's leave or other temporary absence of a regular faculty member.

(b) With the exception of endowed chairholders appointed for specific terms, visiting faculty status shall not be used as a substitute for tenure track appointments. A visiting faculty member may be appointed to fill a temporary vacancy when the department faculty, department chair and dean agree that no suitable candidate is available at that time.

(iii) Part-time faculty.

The part-time faculty policy is detailed in rule 3359-20-06.1 of the Administrative Code.

(iv) Adjunct faculty.

Adjunct appointments are normally accorded to highly skilled professionals who are employed in the community or elsewhere and who are appointed to academic responsibilities on a part-time basis to enrich the university's offerings or competencies.

(2) Distinguished professor.

- (a) The title of distinguished professor shall be awarded only to one who, already holding the rank of professor at the university of Akron for five or more years, excels in teaching and in scholarly activity or artistic performance at the university of Akron at a level significantly beyond the expectations for the rank of professor. The award carries a suitable salary adjustment.
- (b) Nominations for distinguished professor may be made either by majority vote of the nominee's department, division, or college, or by the dean of the college. Upon receiving or making a nomination, the dean shall convene the college review committee.
- (c) Each college faculty shall elect its review committee to consider such nominations. Only faculty holding the rank of professor or the title of distinguished professor are eligible to serve. The committee shall choose its own chair. If a majority of the review committee approves of the nomination, the dean shall forward the review committee's recommendations, together with whatever comments the dean wishes to make, to the university distinguished professor recommendation committee convened by the senior vice president and provost.

- (d) The university distinguished professor recommendation committee shall consist of one member elected from each of the degree granting colleges and university libraries. Those elected shall serve two-year terms. In academic years beginning with an even numbered year, representatives shall be elected from the community and technical college, the college of engineering, the college of business administration, the college of nursing, and Wayne college. In academic years beginning with an odd numbered year, representatives shall be elected from the Buchtel college of arts and sciences, the college of education, the college of fine and applied arts, the college of polymer science and polymer engineering and the school of law. Only those holding the rank of professor or the title of distinguished professor are eligible to serve on this committee, which shall elect its own chair.
 - (e) If a majority of the review committee votes favorably, it shall forward the recommendation to the provost. The provost shall forward the recommendation, together with whatever comments the provost wishes to make, to the president of the university for submission to the board of trustees for approval.
- (3) A department chair and directors of schools in the college of fine and applied arts is selected by the appropriate dean according to procedures outlined in paragraph (B)(5) of rule 3359-20-02 of the Administrative Code. The dean recommends the candidate for approval by the president and the board. If the dean or president considers appointment of someone not on the university faculty, that candidate, at the dean's invitation, usually visits the university and is interviewed by members of the department concerned and chairs of related departments so that the candidate's acceptability may be determined.
 - (4) An associate or assistant dean is selected by the appropriate dean, who, after consulting with department chairs and faculty within the college, recommends the candidate for approval by the president and the board.
 - (5) A dean is selected by the president according to procedures outlined in paragraph (B)(3) of rule 3359-20-02 of the Administrative Code. The president recommends the candidate for approval by the board. If the president considers appointing someone not on the university faculty, candidates are invited to the university and interviewed.
 - (6) The senior vice president and provost is selected by the president according to procedures outlined in paragraph (B)(2) of rule 3359-20-02 of the Administrative Code and recommended for approval by the board.
 - (7) An assistant to a vice president is selected by the appropriate vice president who then recommends the candidate for approval by the president and the board.

- (8) The president of the university is chosen by the board according to the procedures outlined in paragraph (B)(1) of rule 3359-20-02 of the Administrative Code. It is considered desirable that the new president be approved by a majority of the faculty senate. If the board considers appointing someone not on the university faculty, candidates are invited to the university and interviewed.
- (9) Assistants to the president are selected by the president who recommends candidates for approval by the board.
- (10) Academic administrators with faculty status:
 - (a) Faculty status for administrators.
 - (i) University of Akron faculty members who assume administrative positions within the university shall retain an academic appointment in a department, school, or college in which they have been granted indefinite tenure.
 - (ii) Persons who are recruited by the university to serve exclusively or primarily in the academic administrative positions listed in rule 3359-20-02 of the Administrative Code may also be granted an appointment at appropriate academic rank in the department, or, where appropriate, school, or college of their discipline. They may also apply for indefinite tenure in that faculty position.
 - (b) The search committee for the administrative position shall present the full vita of each finalist to the tenure committee of the department that the search committee deems suitable and give the department committee an opportunity to interview the candidate. A professorial appointment in that department shall not be made without the concurrence of the departmental tenure committee and (with the exception of the appointment of a dean of the same college) the dean of the college.
 - (c) If an administrative academic appointment is made, the administrator may apply to the departmental tenure committee for indefinite tenure. The procedures to be followed shall be those adopted by that department or, where appropriate, school, or college, for its faculty members, but the following criteria shall be taken into consideration:
 - (i) Because the administrator has been performing other duties since leaving a full-time teaching/research assignment, the record of accomplishment in the discipline shall be judged in comparison with faculty members with similar years of academic experience at the time when the administrator left a full-time teaching/research assignment.

- (ii) Because an administrator may not be current with recent developments in the academic discipline, the committee shall consider if the candidate could function as a typical member of that department within one year after relinquishing the administrative appointment.

(B) Academic freedom.

The university of Akron subscribes to the following statements from the "academic freedom and tenure" document as presented in the quarterly "academe" publication of the American association of university professors:

- (1) Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
 - (2) Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
 - (3) College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.
- (C) Evaluation. Evaluations of the competencies of each faculty member are made at least annually to determine effectiveness in the performance of duties, and these evaluations shall be transmitted to the faculty member by the department chair. These evaluations are based upon the evidence of appropriate scholarship, the quality of teaching, professional demeanor, the amount and value of continued advanced study, the worth of research and publications, the professional recognition received, and service to the university and community.

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 Ted A. Mallo
 Secretary
 Board of Trustees

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