

## ARTICLE 13

### PROBATION AND TENURE

#### Probationary Period

- 13.1 The term probationary faculty unit employee refers to a full-time faculty unit employee appointed with probationary status and serving a period of probation.
- 13.2 A probationary period is the period of service, prior to the granting or denial of tenure, credited to a faculty unit employee who has received a probationary appointment.
- 13.3 The normal period of probation shall be a total of six (6) years of full-time probationary service and credited service, if any. Any deviation from the normal six (6) year probationary period shall be the decision of the President following his/her consideration of recommendations from the department or equivalent unit and appropriate administrator(s).
- 13.4 The President, upon recommendation by the affected department or equivalent unit, may grant to a faculty unit employee at the time of initial appointment to probationary status up to two (2) years service credit for probation based on previous service at a post-secondary education institution, previous full-time CSU employment, or comparable experience.
- 13.5 The timelines for evaluation of probationary faculty unit employees shall be announced by the President after consideration of recommendations, if any, of the appropriate faculty committee(s).
- 13.6 A year of service for a faculty unit employee in an academic year position is two (2) consecutive semesters or three (3) consecutive quarters of employment within an academic year. For an academic year faculty unit employee at a campus with a quarter system year-round operation (QSYRO), however, a year of service is any three (3) quarters in a period of four (4) consecutive quarters. A year of service for a faculty unit employee in a twelve (12) month position is any consecutive twelve (12) months of full-time employment. A year of

service for a faculty unit employee in a ten (10) month position is ten (10) months of full-time employment within a twelve (12) month period of time. The (10) months of required service for each twelve (12) month period shall be determined by the President upon appointment of the faculty unit member. For the purpose of calculating the probationary period, a year of service commences with the first fall term of appointment.

#### Extensions of the Probationary Period

13.7 Upon the request of a faculty unit employee to the President made no later than the first day of the leave of absence listed below, or any extension thereto, his/her probationary period shall be extended for the following duration and reasons:

- a. A one (1) year extension of the probationary period when the employee is on a leave of absence for pregnancy/birth or adoption for one (1) year.
- b. An extension of the probationary period for the duration of the leave when the employee is on a personal leave of absence without pay pursuant to provision 22.8 for one (1) or more full academic years.
- c. A one (1) year extension of the probationary period when the employee is on a professional leave of absence without pay for two (2) or more academic years.

13.8 Upon the request of a faculty unit employee to the President made no later than thirty (30) days prior to the beginning of the academic term in which s/he is scheduled to return to work, his/her probationary period may be extended for one (1) academic year for the following absences of less than one (1) academic year:

- a. Leave of absence for pregnancy/birth or adoption
- b. Personal leave of absence without pay pursuant to provision 22.8
- c. Professional leave of absence without pay pursuant to provision 22.24

- d. Workers' Compensation
- e. Industrial Disability Leave
- f. Nonindustrial Disability Leave
- g. Paid sick leave.

- 13.9 A faculty unit employee's application for Workers' Compensation, Industrial Disability Leave, or Nonindustrial Disability Leave shall not affect determinations regarding the award of tenure.
- 13.10 A probationary faculty unit employee shall be subject to a Performance Review pursuant to Article 15, Evaluation, for the purpose of retention.
- 13.11 The President shall review and consider the Performance Review recommendations and relevant material and make a final decision on retention.
- 13.12 The President shall notify a probationary faculty unit employee who has served fewer than two (2) years of probation of the final decision on retention no later than February 15.
- 13.13 The President shall notify a probationary faculty unit employee who has served more than two (2) years of probation of a final decision on retention, appointment with tenure, or a terminal year appointment no later than June 1. Official notification to a probationary faculty unit employee of a terminal year appointment shall indicate that the faculty unit employee has no further appointment rights. Terminal year appointments shall be limited to probationary faculty unit employees who have served a minimum of three (3) years of probation.

#### Tenure

- 13.14 A faculty unit employee awarded tenure at a campus has the right to continued permanent employment at the campus as a faculty unit employee except when such employment is voluntarily terminated or is terminated by the Employer pursuant to this Agreement or law.

- 13.15 A probationary faculty unit employee shall be subject to a Performance Review for the purpose of award of tenure, pursuant to the Performance Review provision in Article 15, Evaluation.
- 13.16 The President shall review the Performance Review recommendations and relevant material and make a final decision as to the award or denial of tenure to a probationary faculty unit employee. For probationary employees holding a joint appointment in more than one (1) department or equivalent unit, the President shall make a single decision regarding retention and tenure.
- 13.17 The President may award tenure to any individual, including one whose appointment and assignment is in an administrative position, at the time of appointment. Appointments with tenure shall be made only after an evaluation and recommendation by the appropriate department. Criteria and standards for recommendations shall be those established in accordance with procedures on that campus.
- 13.18 The President shall officially notify the probationary faculty unit employee of the final decision on the award or denial of tenure no later than June 1. The lack of official notice shall not result in the award of tenure. If tenure is denied, the President shall notify the faculty unit employee by June 1 of a subsequent probationary appointment or a terminal year appointment. Terminal year appointments shall be limited to probationary faculty unit employees who have served a minimum of three (3) years. Official notification to a faculty unit employee of the denial of tenure shall include the statement that s/he has no further reemployment rights.
- 13.19 The President may award tenure to a faculty unit employee before the normal six (6) year probationary period.
- 13.20 Tenure shall be effective at the beginning of the academic year succeeding the year in which tenure is awarded.