ARTICLE 7
REAPPOINTMENT, PROMOTION, AND TENURE ("RPT")

7.1 Authority to Grant Reappointment, Promotion and Tenure
The granting of tenure or promotion to the rank of Professor as set forth in Article 6 shall be determined by the Board upon recommendation of the Provost after the recommendations set forth in this Agreement have been made. Except in the case of expedited reappointments as described in Article 7.5.15, all other promotions, initial appointments and reappointment decisions shall be made by the Provost after the recommendations set forth in this Agreement have been made.

Reappointment, promotion, or tenure cannot be awarded on the basis of a clerical error.

7.2 Levels of RPT Review

7.2.1 Recommendations for RPT and for the length of each reappointment shall be initiated by the Faculty Members based upon criteria and procedures developed by the Faculty Members of the Academic Unit (hereinafter referred to as “the RPT Criteria”).

7.2.2 The first level of review shall be the Academic Unit RPT committee. Academic unit RPT committee recommendations shall be forwarded to the Academic Unit Head; from the Academic Unit Head to the College RPT Committee; from the College RPT Committee to the Dean or appropriate administrator; and from the Dean or administrator to the Provost. Where the Academic Unit is the College, the pathway shall be from the Academic Unit RPT committee to the Dean, and from the Dean to the Provost.

7.2.3 At each level, the review committee or administrator shall assess the sufficiency of the dossier and the conformity of the review process to approved RPT criteria and procedures. After consulting with the University Contract Administrator, if appropriate, or on its own initiative, any level of review may remand the dossier to a previous level of review to correct procedural errors or to correct an insufficiency in the dossier’s provision of required materials.
The University Contract Administrator may remand a dossier to a lower level of review at any time in the process for the same reasons.

7.2.4 RPT committees, administrators, and the Board shall read and consider the recommendations of the preceding committees or appropriate administrators, but each review level shall make an independent determination based on the same RPT criteria. Reviewers shall not otherwise consult on pending RPT cases with other levels of review.

7.3 Establishment, Approval and Application of Reappointment, Promotion and Tenure Criteria and Procedures

7.3.1 RPT recommendations shall be based upon criteria related to the responsibilities and functions of the candidate's Academic Unit or library jurisdiction.

7.3.2 RPT Criteria shall be established by each Academic Unit and library jurisdiction, subject to written approval by the Dean or Library Administrator, and the Provost. Academic recommendations at all levels of evaluation shall be based on these approved RPT Criteria. The recommendations and decisions of the Provost, the President, and the Board, to the extent that they are concerned with academic performance, shall also be based on these criteria.

7.3.3 Review of RPT Criteria. Each Academic Unit shall review its RPT criteria and procedures at least once every five years. When revisions are made or existing criteria are reaffirmed, as the result of a review, the Academic Unit's new or reaffirmed RPT Criteria and/or procedures shall be subject to the written approval of the Dean or Library Administrator and the Provost. When RPT Criteria are revised, a copy of the revised RPT Criteria shall be provided to the Provost’s office, to the AAUP, and to all Faculty Members in the unit.

Failure to conduct this periodic review shall not be a grievable matter.

7.3.4 If a reasonable time has not elapsed since a change in RPT criteria, due consideration shall be given to the former criteria.
7.4 Preparation of the Dossier

7.4.1 Each Academic Unit, college, or library jurisdiction shall publish the responsibilities of the Academic Unit, college, or library jurisdiction and the responsibilities of the candidate for developing dossiers.

7.4.2 The candidate has primary responsibility for the development of the dossier submitted for review according to the procedures established by the RPT Criteria and this Collective Bargaining Agreement. Each dossier shall be accompanied by the Provost's "File Checklist" or, in the College of Medicine, by the “COM Checklist.”

The Academic Unit Head, Dean, or administrator, as appropriate, shall be responsible for initiating and completing in sufficient time those parts of a candidate's dossier required by the RPT procedures and criteria (e.g., external reviews, administrative summaries of teaching evaluation, etc.) for which the candidate is not responsible to ensure a timely and fair evaluation of the candidate. These tasks may be delegated, so long as such delegation does not result in a conflict of interest in the review process; however, the Academic Unit Head, Dean or administrator is ultimately responsible for completion of these tasks.

7.4.3 The dossier shall include evidence and evaluation of the candidate's qualifications as well as any other information or documentation deemed pertinent to the RPT Criteria. This dossier shall be provided to the Academic Unit RPT committee or the librarians’ RPT committee by the date specified in Article 7.5.13, unless an earlier date has been set by the Academic Unit in accordance with Article 7.5.14.

7.4.4 Any Faculty Members who are serving on an Academic Unit or a College RPT Committee, as well as an Academic Unit Head or Dean, may advise a candidate in his or her preparation of a dossier up to the time that the candidate has submitted the dossier for review by the Academic Unit RPT committee. After that time, such advising should cease, since the roles of the Committee members, the Academic Unit Head and the Dean become evaluative as part of the RPT review process. This restriction on advising
candidates applies only to communications related to the preparation of the dossier.

7.5 Review Process

7.5.1 All material received and considered in making recommendations regarding reappointment, promotion, or tenure, at any level becomes part of the candidate's dossier. All material added or attached to a candidate's dossier after it leaves the candidate's hands shall be copied to the candidate at the time said material is added or attached.

7.5.2 The candidate may inspect the dossier in accordance with University policies on access to personnel files and must be given the opportunity to review and respond in writing to any material in or added to the file.

7.5.3 If new material bearing on the substance of a prospective decision becomes available during the review process, the candidate, Academic Unit Head, Dean, or appropriate administrator may add such material to the dossier until the appropriate Provost renders his or her recommendation. The candidate shall be provided with a copy of any material added to the dossier at the time the material is added to the dossier.

7.5.4 The candidate shall have the opportunity to review and respond in writing to the material within fourteen (14) days following receipt of the copy.

7.5.5 All responses shall become part of the dossier. Any new material and any responses from the candidate shall be provided to all RPT committees and administrators who have participated in the review and made a recommendation.

7.5.6 The recommendation from the Academic Unit RPT Committee shall be given serious consideration, and no committee or administrator shall make a different recommendation except for substantial reasons stated in writing. When a review committee, Dean, or administrator recommends contrary to the Academic Unit, the Academic
Unit shall be notified of the reasons for the contrary recommendation within fourteen (14) days.

7.5.7 A copy of each review level’s recommendation letter shall be transmitted to the candidate at the time the letter is added to the dossier. A copy should also be transmitted to all prior levels of review at that time. Any negative recommendation must be accompanied by a written statement of reasons.

7.5.8 A candidate shall be guaranteed the right to reconsideration at the first level at which a negative recommendation occurs. Within fourteen (14) days after receiving notice of the negative recommendation, the candidate has the right to request reconsideration and may submit supporting substantive or procedural information. The candidate shall be informed of the result of the reconsideration within twenty (20) days following submission of the request.

When a candidate exercises this right to reconsideration, the review process shall remain at the level at which reconsideration is being requested. The individual or committee making the first negative recommendation shall make a good faith effort to maintain the recommendation at that level pending the individual’s right to reconsideration. However, failure to do so shall not be cited as a process violation in any resulting grievance. No further evaluation of or recommendations concerning the individual’s candidacy shall be made until the requested reconsideration process has been completed. This restriction shall not prevent administrative action to meet the appropriate notice requirements of Subsection 7.5.11 herein.

7.5.9 Unless the candidate, within fourteen (14) days after receipt of notification of a recommendation regarding reappointment, promotion, or tenure, withdraws from candidacy by written notice to the Academic Unit Head, Dean, or Administrator, the process will continue.

7.5.10 Request for Terminal Year Review. A Faculty Member may request to undergo a reappointment or tenure review, as appropriate, during the terminal year of his/her current appointment term. A request for terminal year review must be jointly approved by the AAUP and the University
Contract Administrator. To initiate a request for terminal year review, the Faculty Member shall contact the office of the AAUP to obtain a Request for Terminal Year Review form and shall file the form with the AAUP not later than July 15 of the penultimate year of the Faculty Member’s current appointment term. This deadline may be waived by mutual agreement of the AAUP and the University Contract Administrator. The AAUP shall forward the Request for Terminal Year Review to the University Contract Administrator. By requesting a terminal year review, the Faculty Member also requests that the AAUP waive the notice provisions of Article 7.5.11 and 7.5.13 of the Collective Bargaining Agreement.

7.5.11 Reappointment Review Schedules. Dossiers shall be prepared and ready for review according to the following schedule:

7.5.11.1 If the candidate has an initial one year appointment, the dossier is due no later than January 1 of that year (December 1 in the College of Medicine); notice of the recommendation of the Provost is due to the candidate by March 1 of that year (March 15 in the College of Medicine), or at least 3 months in advance of the appointment's end date if the appointment ends during an academic year.

7.5.11.2 If the candidate is in the second year of service and the appointment ends in that academic year, the dossier is due no later than September 15 of that year (September 15 in the College of Medicine); notice of the recommendation of the Provost is due to the candidate by December 15 of the second year (January 1 in the College of Medicine), or at least 6 months in advance of the appointment's end date if the appointment ends during the academic year.

7.5.11.3 If the candidate is in the second year of a three year appointment or the penultimate year when the Faculty Member has consecutive Faculty service of more than two years, the dossier is due no later than February 15 (March 1 in the College
of Medicine) of the appointment's penultimate year; notice of the recommendation of the Provost is due to the candidate by August 14 of the penultimate year, or at least 12 months in advance of the appointment's end date.

7.5.12 Reappointment and Promotion Review Schedules. In all cases, any candidate for reappointment who also wishes to submit a request for promotion will submit the dossier on the appropriate reappointment schedule, as defined in the review deadlines.

7.5.13 Review Deadlines. The following deadlines apply to all RPT reviews:
# REVIEW DEADLINES (EXCLUDING COLLEGE OF MEDICINE)

<table>
<thead>
<tr>
<th>Latest Date of Submission of Dossier to First Level of Review</th>
<th>Dossier Submitted to Office of the Provost</th>
<th>Candidate Notified of Decision of Provost or Recommendation of the Provost to the Board of Trustees</th>
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</thead>
<tbody>
<tr>
<td><em>REAPPOINTMENT</em></td>
<td></td>
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</tr>
<tr>
<td>January 1 (7.5.11.1) (1\textsuperscript{st} year of initial 1-year appointment)</td>
<td>February 15</td>
<td>March 1</td>
</tr>
<tr>
<td>September 15 (7.5.11.2) (2\textsuperscript{nd} year of initial 2-year appointment or second 1-year appointment)</td>
<td>November 15</td>
<td>December 15</td>
</tr>
<tr>
<td>February 15 (7.5.11.3) (2\textsuperscript{nd} year of 3-year appointment, or the penultimate year when there are more than 2 years of service)</td>
<td>April 15</td>
<td>August 14</td>
</tr>
<tr>
<td><em>PROMOTION</em></td>
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<td></td>
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<tr>
<td>October 15 (7.5.12)</td>
<td>March 1</td>
<td>Normally by June 15</td>
</tr>
<tr>
<td><em>TENURE</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>October 15</td>
<td>March 1</td>
<td>Minimum of 12 months in advance of expiration of probationary period</td>
</tr>
</tbody>
</table>
## REVIEW DEADLINES FOR COLLEGE OF MEDICINE

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<tr>
<td>December 1 (7.5.11.1)</td>
<td>February 15</td>
<td>March 15</td>
</tr>
<tr>
<td>(1st year of initial 1-year appointment)</td>
<td></td>
<td></td>
</tr>
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<td>December 1</td>
<td>January 1</td>
</tr>
<tr>
<td>(2nd year of initial 2-year appointment or second 1-year appointment)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>March 1 (7.5.11.3)</td>
<td>July 20</td>
<td>Minimum of 12 months in advance of the appointment’s end date</td>
</tr>
<tr>
<td>(2nd year of 3-year appointment, or the penultimate year when there are more than 2 years of service)</td>
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<tr>
<td><strong>PROMOTION</strong></td>
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</tr>
<tr>
<td>November 1 (7.5.12)</td>
<td>May 1</td>
<td>Normally by June 15</td>
</tr>
<tr>
<td><strong>TENURE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>November 1</td>
<td>May 1</td>
<td>Minimum of 12 months in advance of expiration of probationary period</td>
</tr>
</tbody>
</table>

28
7.5.14 **Early Review Deadlines.** Any Academic Unit, college, or library jurisdiction may establish an earlier date for submission of dossiers to the first level by written notice to the Faculty Members from the Dean or appropriate administrator. This written notice must be given six (6) months in advance of the earlier deadline date. In the case of Faculty Members in the first year of their initial appointment, this information shall be communicated in writing at the beginning of that appointment.

7.5.15 ** Expedited Reappointment for Qualified Title Faculty Members.** A Faculty Member with a qualified title who has been appointed or reappointed for at least seven (7) consecutive years may request expedited reappointment by submitting a request in writing to the Academic Unit Head not later than September 15 of the penultimate year of his/her current appointment term. The request should include copies of the Faculty Member's annual performance reviews completed since his/her last appointment or reappointment. The Faculty Member may receive reappointment at the discretion of the Academic Unit Head, with the concurrence of the Academic Unit RPT committee and the Dean, without submitting a dossier through the normal review process described in this Article. This expedited process shall not be used if the Faculty Member has not received an annual performance review in each of the years since his/her last appointment or reappointment. The Faculty Member and the Provost’s office shall be notified by the Dean of the final decision on expedited reappointment not later than twenty (20) months (normally December 15) before the end of the Faculty Member’s current appointment. Expedited reappointments shall be for not less than two (2) years. Should the Faculty Member not receive reappointment through this expedited process, s/he may request reappointment by submitting a dossier through the regular RPT process. This expedited process may not be used for promotion. Denial of an expedited reappointment review, or denial of reappointment through this expedited process, is not grievable.

7.5.16 This Article shall not prevent the more rapid advancement, as compared to the typical progress described in Article 6.3.1, of persons of exceptional ability whose
accomplishments and value justify an earlier promotion or grant of tenure.

7.6 Levels of Review: Composition and Procedures

7.6.1 All RPT committees shall be standing committees.

7.6.2 Only full-time University Faculty Members, and those AAUP-represented Adjunct Faculty Members whose Academic Units’ RPT procedures permit, shall serve on the RPT committees.

7.6.3 The quorum necessary for voting shall be two-thirds of the members of a RPT committee. Each member of a RPT committee shall have one vote.

7.6.4 Academic Unit RPT Committee

7.6.4.1 Composition. Each Academic Unit's RPT Committee shall be composed of members as defined in 7.6.2 above. Deans, associate Deans, assistant Deans, assistants to the Dean, and Academic Unit Heads may not serve on the Committee. The chairperson shall be selected by the Committee from its members. If an Academic Unit has fewer than four full-time tenured Faculty Members, it must select by democratic means at least one additional Committee member who is tenured from full-time Faculty of the college, or from related disciplines in other colleges of the University. If the committee membership has been supplemented, the chairperson must be a member of the Academic Unit. Except for these requirements, the Faculty of the Academic Unit shall decide by democratic means the Committee's structure, size, and method of selection.

7.6.4.2 Committee Responsibilities. The Academic Unit RPT Committee shall forward to the Academic Unit Head the candidate's file and the Academic
Unit RPT Committee’s recommendation regarding reappointment, promotion, or tenure.

7.6.5 **Academic Unit Head Responsibilities.**
The Academic Unit Head shall submit an independent recommendation and shall forward the candidate’s file to the College RPT Committee.

7.6.6 **College RPT Committee**

7.6.6.1 **Composition.** The College RPT Committee shall be composed of full-time Faculty of the college, with no more than two (2) from any single Academic Unit. Deans, associate Deans, assistant Deans, assistants to the Dean, and Academic Unit Heads may not serve on the Committee. Except for these restrictions, colleges shall democratically determine the structure, size, and method of selection of the Committee.

7.6.6.2 In colleges without Academic Units, the College RPT Committee shall be composed of the Faculty of the college, with the exception of the Dean, associate Deans, assistant Deans, and assistants to the Dean. The Committee shall select a chairperson from its members. Except for these requirements, the College shall democratically determine its structure, size, and method of selection.

7.6.6.3 **Committee Responsibilities.** The College RPT Committee shall review and consider the Academic Unit RPT committee and Academic Unit Head recommendations for reappointment, promotion, and tenure. The Committee shall forward its recommendation and the candidate's file to the Dean.

7.6.7 **Dean's Responsibilities.** The Dean shall submit an independent written recommendation and shall forward the candidate’s file to the Provost.
7.6.8 **Provost’s Responsibilities.** The Provost shall conduct an independent review of the candidate’s file and the recommendations from the prior levels of review, and shall issue a recommendation to the Board concerning tenure or promotion to the rank of Professor, or a decision with respect to reappointment or promotion to a rank other than that of Professor, as appropriate.

7.6.9 **Librarians’ Reappointment, Promotion, and Tenure Committee**

7.6.9.1 **Composition.** The Library Faculty shall have a RPT Committee composed of full-time Library Faculty in the Bargaining Unit from at least two (2) library jurisdictions. Except for these restrictions, the Library Faculty shall determine by democratic means the structure, size, and method of selection of the Committee.

7.6.9.2 **Committee Responsibilities.** The Committee shall make a recommendation about reappointment, promotion, or tenure based upon consideration of the candidate’s dossier, the supervisor’s recommendation, and other relevant documentation. It shall forward to the Library Administrator the candidate’s file and the Committee’s recommendation. When the Library Administrator is also the candidate’s immediate supervisor, the candidate’s file shall not contain a recommendation by the immediate supervisor as to reappointment, promotion, or tenure. The candidate’s file shall contain the written evaluation prepared by the supervisor along with the summary of the evaluation conference signed by both the candidate and the supervisor. The candidate may include a written statement in the file about the evaluation and the summary.

7.6.9.3 **Appropriate Library Administrator’s Responsibilities.** The Library Administrator shall submit an independent recommendation to the Provost.
These procedures apply to all Academic Units and colleges.

**Procedures in Cases of Program Need or Budget Restraint**

**7.8.1** Academic performance based on approved RPT Criteria shall be the only consideration in RPT cases, except reappointment or tenure may be denied because of program needs or budget restraints.

**7.8.2** Budget restraint or program need in an Academic Unit may, of necessity, have an adverse impact on an individual Faculty Member; however, the determination of a budget restraint or program need shall be independent of the academic review of the Faculty Member for reappointment or tenure.

**7.8.3** If a Provost determines that a budget restraint or program need exists for an Academic Unit or college, the Provost shall notify the Academic Unit, the Dean, and the AAUP. The Dean and Academic Unit Head shall then work with the Provost to ascertain if the budget restraint or program need can be resolved without adverse impact on an individual Faculty Member. The Academic Unit as a whole, at least thirty (30) days after it has been provided documentation of the budget restraint or program need and of the total resources available to the unit, shall be consulted and its suggestions for resolution given full consideration, including any alternatives that would not adversely affect any Faculty Member.

**7.8.4** If the budget restraint or program need can only be resolved by adversely affecting a Faculty Member, the Faculty Member so affected shall be notified, no later than twelve (12) months prior to the effective date of the non-reappointment. The notice shall state explicitly that the reasons for non-reappointment are based on program need or budget restraint. In lieu of all or some portion of the notice period, the University, at its discretion, may offer separation incentive benefits at any time to any or all Faculty Members affected by non-reappointment decisions resulting from budget restraint or program need. These benefits will be granted only upon the written agreement of the Bargaining
Unit member, the Academic Unit Head, the Dean, and the University Contract Administrator.

7.8.5 To continue the progress achieved, the University's affirmative action policies shall be considered in making a decision concerning non-reappointment or denial of tenure for reasons of program need or budget restraint.

7.8.6 When a Faculty Member is denied reappointment for reasons of budget restraint or program need, that position may not be filled on a full-time basis for two (2) years, unless it is first offered to the individual denied reappointment. However, the position may be filled on a part-time basis without regard to the two-year limit (1) if the position is first offered to the individual denied reappointment, and (2) if the part-time position accounts for no more than 50% of the full-time course load of the Faculty Member denied reappointment. The Faculty Member denied reappointment shall be given thirty (30) days to accept the full-time or part-time position. If accepted, prior service credit shall be allowed toward any applicable probationary period.

7.9 RPT Grievance

7.9.1 If a Faculty Member is denied reappointment or promotion or tenure, s/he may file a grievance if s/he alleges that:

(a) Academic freedom violations are significantly connected with the decision; or

(b) Procedures used in reaching the decision leading to the grievance were applied in an improper or discriminatory manner (the term “procedures” as used in this Section includes the requirements of Sections 6.2 and 6.5 and Article 7, as they apply to the candidate); or

(c) A negative recommendation by the Provost: (1) has followed positive recommendations by the Academic Unit, the college or library jurisdiction, and the Dean or administrator, and (2) is arbitrary and capricious.
A Faculty Member may not file a grievance solely challenging the merit or lack of merit, or the weight or substantiality of the reasons, judgments, or substantive determinations, made by administrators or committees involved with RPT recommendations.

In cases where a Faculty Member has been reappointed, the Faculty Member may not file a grievance challenging the length of the reappointment.

### 7.9.2 Filing an RPT Grievance.

#### 7.9.2.1 An RPT grievance must be filed within twenty-one (21) days after the receipt of the Provost’s negative recommendation.

#### 7.9.2.2 Filing Procedure. To file an RPT grievance, the Faculty Member must contact the office of the AAUP. Upon completion, the Grievance form will be distributed by the AAUP to the respondent(s), the Grievance Committee Co-Coordinators, the Provost, and the Dean or administrator.

### 7.9.3 RPT Grievance Process.

#### 7.9.3.1 Grievance Committee Composition.
See Article 8.3.

#### 7.9.3.2 Requirements for Grievant’s and Respondent’s Statements. See Article 8.4.

#### 7.9.3.3 Grievance Panel Procedures. See Article 8.5, except that in tenure cases, Panel members from the faculty pool must be tenured.

#### 7.9.3.4 Rebuttal Statements. See Article 8.6.

#### 7.9.3.5 Grievance Decision Process. See Articles 8.7 and 8.8.

### 7.9.4 Authority of the Grievance Panel. Except as provided below (7.9.5), in RPT cases in which the Grievance Panel finds procedural error, violation of academic freedom, or
arbitrary or capricious decision by the Provost, it may only remand to the appropriate level of review. The Panel may not award reappointment, promotion or tenure.

7.9.5 Ad Hoc Committee Review.

7.9.5.1 In tenure cases, if after a review of the evidence the Grievance Panel believes that a fair reconsideration of the dossier is not possible, it may direct that an Ad Hoc Committee be appointed to conduct a substantive dossier review. In such rare cases, the Grievance Panel must notify all parties of its findings and of the rationale for invoking the Ad Hoc Committee procedure.

7.9.5.2 The Grievance Committee Co-Coordinators shall have thirty (30) days to appoint the Ad Hoc Committee. The Ad Hoc Committee should be composed of five (5) experts in the same general discipline as the grievant. The Co-Coordinators may, at their discretion, consult persons inside or outside the University as to known and respected experts in the Grievant’s discipline. Members of the Ad Hoc Committee may be from inside or outside the University, but may not be members of the Grievant’s Academic Unit.

7.9.5.3 The Ad Hoc Committee shall consider the Grievant’s dossier as presented to the Provost and may, at its discretion, seek further evaluation of the candidate. It shall be the responsibility of the Chair of the Grievance Panel to ensure that the Ad Hoc Committee members receive all materials necessary for them to complete their review.

7.9.5.4 The Ad Hoc Committee may meet by telephone, teleconference, or videoconference.

7.9.5.5 The Ad Hoc Committee shall follow all relevant and appropriate criteria, procedures, and guidelines of the Grievant’s Academic Unit. The
Ad Hoc Committee’s final recommendation shall be by majority vote.

7.9.5.6 The Ad Hoc Committee, within sixty (60) days of its formal appointment, shall recommend to the President whether the Grievant should be awarded tenure. The President shall respond in writing to the Committee’s recommendation within thirty (30) days of its receipt, except if the recommendation is received between June 1 and September 1, the President shall respond within forty-five (45) days. The decision of the President is final.