ACADEMIC SENATE
OF
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, California

Background statement: The current sections of CAM (342.2 and 344) covering academic promotion and tenure have been out-of-date since 1983—the date of the initial collective bargaining contract. In addition, two other concerns were brought to the attention of the Personnel Policies Committee in recent months:

1. Early promotion and tenure cases are not adequately addressed in the current CAM sections;
2. Academic promotion of administrators is not addressed in CAM.

These CAM sections were considered simultaneously by the committee in order to formulate a coherent policy. The committee recommends the following resolutions be approved concurrently by the Academic Senate.

AS-274-88/PPC
RESOLUTION ON ACADEMIC PROMOTION

WHEREAS, The current CAM 342.2 is out-of-date; and
WHEREAS, Early promotion is not adequately addressed in the current CAM 342.2; and
WHEREAS, Academic promotion of administrators is not addressed in CAM; therefore, be it

RESOLVED: That the current CAM 342.2 be deleted; and be it further
RESOLVED: That the attached CAM 342.2 be added.

Proposed By:
Academic Senate Personnel Policies Committee
January 19, 1988
Revised January 26, 1988
A. Eligibility

Promotion eligibility shall be governed by the terms of Article 14 of the Memorandum of Understanding (MOU) between the CSU and Unit 3 Faculty. In particular, tenure is required for promotion to professor. In addition, persons (other than department heads/chairs) whose primary duties are administrative shall not be eligible for academic promotion.

B. Criteria and Procedures (also consult CAM 341.1.D, E and F)

1. Performance reviews for promotion purposes shall be conducted in accordance with Article 15 of the MOU. Additional school (department) criteria and procedures shall be in accordance with the MOU and shall be approved by the Vice President for Academic Affairs.

2. Applicants for promotion shall submit a resume which indicates evidence of promotability. This resume shall include all categories pertinent to promotion consideration: teaching activities and performance, professional growth and achievement, service to the university and community, and any other activities which indicate professional commitment, service, or contribution to the discipline, department, school, university, or community.

To assist applicants in preparing their resumes, the dean of each school shall forward a copy of the Faculty Resume Worksheet (CAM Appendix XII) to each applicant at the beginning of the promotion cycle.

3. In addition to their carefully documented recommendations, department peer review committees, department heads/chairs, school peer review committees, and school deans shall submit a ranking of those promotion applicants who were positively recommended at their respective level.

4. Promotion in rank is in no way automatic and is granted only in recognition of competence, professional performance, and meritorious service during the period in rank. Recommendations for promotion of individuals are based on the exhibition of merit and ability in each of the following four factors:

a. Teaching Performance and/or Other Professional Performance

Consideration is to be given to such factors as the faculty member's competence in the discipline, ability to communicate ideas effectively, versatility and appropriateness of teaching techniques, organization of course, relevance of instruction to course objectives, methods of evaluating student achievement, relationship with students in class, effectiveness of student consultation, and other factors relating to performance as a teacher.

In formulating recommendations on the promotion of teaching faculty, evaluators will place primary emphasis on success in instruction. The results of the Student Evaluation
of Faculty program are to be considered in formulating recommendations based on teaching performance.

b. Professional Growth and Achievement
   Consideration is to be given to the faculty member's original preparation and further academic training, related work experience and consulting practices, scholarly and creative achievements, participation in professional societies, and publications.

c. Service to University and Community
   Consideration is to be given to the faculty member's participation in academic advisement; placement follow-up; cocurricular activities; department, school, and university committees and individual assignments; systemwide assignments; and service in community affairs directly related to the faculty member's teaching service area, as distinguished from those contributions to more generalized community activities.

d. Other Factors of Consideration
   Consideration is to be given to such factors as the faculty member's ability to relate with colleagues, initiative, cooperativeness, and dependability.

5. Department heads/chairs and deans shall use Form 109 (CAM Appendix I) for evaluation of promotion applicants. Department (school) peer review committees will submit their recommendations in a form that is in accordance with their department (school) promotion procedures.

6. Normal Promotion

a. An application for promotion to associate professor is considered normal if the applicant is eligible and both of the following conditions hold:

   (i) the applicant is tenured or the applicant is also applying for tenure.

   (ii) the applicant has received four Merit Salary Adjustments (MSA's) (while an assistant professor) or the applicant has reached the maximum salary for assistant professor.

b. An application for promotion to professor is considered normal if the applicant is eligible and the applicant has received four MSA's (while an associate professor) or the applicant has reached the maximum salary for associate professor.

7. Early Promotion

a. An application for promotion to associate professor is considered "early" if the applicant is eligible and one (or both) of the following is (are) true:
(i) the applicant is a probationary faculty member who is not also applying for tenure.

(ii) the applicant has not received four MSA's (while an assistant professor) and the applicant has not reached the maximum salary for assistant professor.

b. An application for promotion to professor is considered "early" if the applicant is eligible and the applicant has not received four MSA's (while an associate professor) and the applicant has not reached the maximum salary for associate professor.

c. Early promotion will only be granted in exceptional cases. The circumstances which make the case exceptional shall be fully documented by the candidate and validated by evaluators. The fact that an applicant for early promotion meets the minimum performance criteria for promotion does not in itself constitute an exceptional case.
A. Eligibility

1. Persons occupying academic rank positions but assigned full time to non-instructional duties will be considered for promotion by the administration; persons assigned to both teaching and instructional-administrative duties will be considered for promotion in both areas.

2. Normally promotions of academic employees may be made only after the completion of at least one full academic year of service in the fifth salary step of the rank. In case of overlapping steps in salary ranges between academic ranks, an individual will receive at the time of promotion a one-step increase in salary. Individuals are not eligible for promotion in academic rank solely by virtue of added administrative responsibility. Merit salary increases are increases within a salary range and are not considered to be promotions. Exception to this promotion policy may be authorized only by the University President or a designee.

3. An academic employee must have tenure or be simultaneously awarded tenure before promotion to the Associate Professor or Professor ranks can be approved. The granting of tenure does not guarantee future promotion.

4. Possession of the doctorate or other normal terminal degree from an accredited institution is a usual prerequisite for promotion beyond the rank of Assistant Professor. Exceptions may be made in those instances where the faculty member has received recognition for outstanding professional accomplishment in the academic community and possesses special qualifications according to approved criteria established for personnel actions by each department, school, or other organizational unit.

5. The Dean of each School shall notify all faculty who are eligible for promotion consideration by the last day of instruction in September of the academic year in which they are eligible, or as soon thereafter as possible. Only those technically eligible faculty members who submit a written request to the School Dean for promotion consideration by a date specified by the School's statement of personnel action procedures shall be evaluated for promotion.

To assist each faculty member in preparing his/her resume, the Dean of each School shall forward a copy of the policy statement requiring an updated resume (CAM 342.2.A.6) and a copy of the Faculty Resume Worksheet appearing in CAM Appendix XII at the time of notification of eligibility for promotion consideration.

6. Each faculty member requesting promotion consideration shall update his/her personnel file and submit a resume which indicates evidence of promotability. This resume shall include all categories pertinent to promotion consideration: teaching activities and performance, professional growth and achievement, service to the university and community, and any other activities or interests which indicate professional commitment, service, or contribution to the discipline, department, university, or community.

7. In exceptional cases, a faculty member who is not technically eligible (by virtue of not having served one full academic year at the fifth step of the then held rank) is recognized both on and off campus (i.e., by state or national professional societies) as outstanding in all areas of evaluation according to approved criteria established by each department, school or other professional unit, may be considered for promotion. In such instances, a department's faculty and department head may initiate a request for early promotion review and make a recommendation to the Dean that will then become a part of the regular promotion cycle in that academic year.

8. The number of promotions within the university shall not exceed existing budget appropriations available for such promotions.

B. Criteria and Procedures for Promotion in Rank

Promotion in rank is in no way automatic but is granted only in recognition of competence, professional performance, and meritorious service during the period in rank. Recommendations for promotion of individuals are based on the four factors and their subordinate subfactors listed on the Faculty Evaluation Form with emphasis on the exhibition of merit and ability in each factor. The criterion for each is relevance to the faculty member's overall contribution to the total objectives of the university, the basic purpose of which is to serve the students. Moreover, because there is a wide range of talents in the faculty, a variety of

Revised August, 1983
Added April, 1983
(4) Does not meet satisfactorily the requirements of the present assignment.

b. The department head will write the reasons for the rating of each member, using the positive approach of specific examples of achievement relative to any appropriate items. In support of the evaluation, the department head shall provide reliable evidence which will validate the rating and the recommendation.

c. The department head will place emphasis on success in instruction.

d. Since professional improvement, as well as promotion, is a goal of this evaluation program, the department head will discuss with each member the content of the report made on the individual. The evaluation report on each academic employee shall be initialed by the individual before it is submitted to the school dean or division head.

e. The department head will present to and discuss with the school dean or division head the written recommendations for promotions by February 10. In arriving at recommendations the department head will consult tenured members of the department staff, or a committee of same, having ranks higher than those of the persons eligible, and the results of such consultation shall be presented in writing to accompany the recommendations. The consultative evaluation, signed by the committee chairperson or the committee members, or as individually signed statements, shall include reasons in sufficient detail to validate the recommendations of the consulted group. In those instances where the consultative evaluation represents a consensus opinion and is signed by the committee chairperson, the filing of a minority report by committee members whose opinions differ from the views expressed in the majority report is permitted and encouraged. To insure consideration, such a minority report should accompany the majority report at the time it is forwarded to the department head.

f. Priority lists by department and school/division should be submitted with the promotion evaluations of those being recommended for promotion. The criteria to be used for ranking at the department and school levels are the same as that used in determining whether or not promotion is recommended. The departmental priority listing should originate with the appropriate departmental faculty committee, reviewed at each consultative level and included as part of the total promotion package. Deans, in arriving at a single priority list for the school, are to consult with a standing or ad hoc committee comprised of either the Chair of the Tenured Faculty (provided this person is a tenured full Professor) or a tenured full Professor selected from each department. If a department does not have a tenured full professor, there will not be membership on the committee from that department unless otherwise provided for in the approved school procedures or approved in advance by the Vice President for Academic Affairs.

Reports, evaluations, and recommendations of all candidates for promotion regardless of whether promotion is recommended at the departmental level, together with the departmental priority list, should be made available to members of the school standing or ad hoc committee. This committee may request additional information concerning faculty members being considered for promotion. The report by the committee to the school deans should include a recommendation for each individual who has requested promotion as to: (1) whether or not promotion is recommended; and (2) a relative ranking of those being recommended for promotion. Recommendations by the committee are advisory to the school dean/division head who is required to submit a recommendation for each candidate and a single priority list of those recommended for promotion at school level.

Added September, 1982
g. If an individual is not recommended for promotion by the department head, the person shall be invited by the department head, in writing, to discuss the decision; if the individual is not recommended for promotion by the school dean or division head but is recommended by the department head, the school dean or division head shall invite, in writing, the individual to discuss the decision in the presence of the department head. When discussions are held they shall take place prior to submission of materials to the Personnel Review Committee by March 15. When the school dean or division head disagrees with the department head's recommendation, a copy of the evaluation shall be sent to the faculty member.

h. The school dean or division head will evaluate the performance of the department heads in the school or division, taking into consideration performance of administrative duties, and will make recommendations on department heads.

i. School deans, division heads or directors will present recommendations to the appropriate Vice President or the Dean of Students by March 10.

j. Review of recommendations will be forwarded by the Personnel Review Committee of the Academic Senate on May 1 to the President's designee (Vice President for Academic Affairs, Executive Vice President or Dean of Students, as appropriate).

k. The Vice President for Academic Affairs, Executive Vice President, and Dean of Students will forward their recommendation to the President.

l. Notices to faculty of promotion or nonpromotion are sent by the University President by June 1.

C. Effective Date of Promotions

The effective date for faculty promotions will be stated in the notice sent by the University President to the promoted faculty members. In accordance with existing regulations, effective dates for pay purposes of promotions in rank are determined as follows:

1. Academic Year and 10-Month Employees

Promotions of academic year and 10-month employees who will have completed at least one full year of service at the fifth step of an academic rank by the beginning of the fall quarter of the college year following receipt of notice of promotion are effective with the beginning of the September pay period.

Promotions of academic year and 10-month employees who will have completed one full year of service at the fifth step of an academic rank at a date during the next college year but after the beginning of the fall quarter will become effective with the beginning of the first academic quarter following completion of one year of service in the fifth pay step.

2. 12-Month Academic Employees

Promotions of 12-month academic employees who, at the time of notification of promotion, have not yet completed at least one full year of service at the fifth step of an academic rank will become effective with the beginning of the month following completion of one year of service in the fifth pay step but no earlier than the beginning of the next September pay period.

Promotions of 12-month academic employees who at the time of notification of promotion have already completed at least one full year of service at the fifth pay step of an academic rank will become effective with the beginning of the next September pay period.
MEMORANDUM

To: A. Charles Crabb, Chair
    Academic Senate

From: Warren J. Baker
      President

Subject: RESOLUTION ON ACADEMIC PROMOTIONS (AS-274-88/PPC)

This will confirm our telephone conversation of May 23, in which we agreed on a modification in the wording of the proposed changes to Section 342.2A as referenced in my memo of April 26. We agreed that the wording of the last sentence of 342.2A will be as follows:

In addition, persons (other than department heads/chairs) whose primary duties are administrative shall not normally be advanced in academic rank without the concurrence of the tenured faculty of higher rank from the appropriate department.
The subject resolution has been carefully reviewed. I am pleased that the Senate has taken the initiative to propose a CAM revision which will update and clarify our promotion policy. I generally agree with the recommendations of the Academic Senate with the exception of language that limits the current authority and delegation of responsibility to the President from the Board of Trustees (Title 5). Approval of the resolution is made with the understanding that the changes listed below will be incorporated into the policy statement. Appended is the final text for CAM 342.2B, with revisions noted, and it will become effective July 1, 1988. It is my understanding that Personnel Policies Committee is considering additional language in CAM to cover promotion of librarians.

1. 342.2A, last sentence should be modified.

I recognize that there have been some problems associated with promoting some of the administrators with the tracking classification of Academic Specialist. However, the Senate's proposal would mean that no faculty member could be realistically considered for an administrative position unless he/she had attained the rank of full professor. It is in the best interest of the University to retain maximum flexibility in selecting academic administrators. Furthermore, in some cases academic administrators remain partially involved in their department and may earn advancement in academic rank. For these reasons, I have concluded that the sentence should be changed to read:

In addition, persons (other than department heads/chairs) whose primary duties are administrative shall not be eligible for academic promotion be advanced in academic rank without consultation with the tenured faculty of higher rank from the appropriate department.

2. 342.2B.2, second paragraph:

This creates a new procedural step of requiring each dean to send a copy of the Faculty Resume Worksheet to every candidate. It should be the candidate's responsibility to obtain the information. As written, the proposal would increase the possibility of unnecessary grievances in the event a candidate did not receive the worksheet from the dean. I believe
the following statement, which is currently in CAM, should be retained and substituted for the proposed language in 342.2B.2:

In preparing resumes, applicants are encouraged to utilize the Faculty Resume Worksheet (CAM Appendix XII) as a guide.

3. 342.2B.4, modified to read:

Promotion in rank is in no way not automatic and is granted only in recognition of competence teaching competency, professional performance, and meritorious service during the period in rank. The application of criteria will be more rigorous for promotion to professor than to associate professor. Recommendations for promotion of individuals are based on the exhibition of merit and ability in each of the following four factors and their subordinate sub-factors:

4. 342.2B -- The following provisions, which are currently in CAM, need to be included in the revision. This will result in renumbering the following sections:

5. Possession of the doctorate or other designated terminal degree from an accredited institution is normally required for promotion.

5a 6. Department heads/chairs...

6 7. Normal Promotion...

7 8. Early Promotion....

5. 342.2B.67b and 342.2B.78b:

Although the introductory paragraph (342.2A) states that tenure is required for promotion to professor, the following should be incorporated as the first sentence in both 342.2B.67b and 342.2B.78b:

Tenure is required for promotion to professor.

6. 342.2B.78c:

For clarity the paragraph should be revised to read:

Early promotion will only be granted only in exceptional cases. The circumstances and record of performance which make the case exceptional shall be fully documented by the candidate and validated by evaluators. The fact that an applicant for early promotion meets the minimum performance criteria for promotion does not in itself constitute an exceptional case for early promotion.
A. Eligibility

Promotion eligibility shall be governed by the terms of Article 14 of the Memorandum of Understanding (MOU) between the CSU and Unit 3 Faculty. In particular, tenure is required for promotion to professor. In addition, persons (other than department heads/chairs) whose primary duties are administrative shall not be eligible for academic promotion be advanced in academic rank without consultation with the tenured faculty of higher rank from the appropriate department.

B. Criteria and Procedures (also consult CAM 341.1.D, E and F)

1. Performance reviews for promotion purposes shall be conducted in accordance with Article 15 of the MOU. Additional school (department) criteria and procedures shall be in accordance with the MOU and shall be approved by the Vice President for Academic Affairs.

2. Applicants for promotion shall submit a resume which indicates evidence of promotability. This resume shall include all categories pertinent to promotion consideration: teaching activities and performance, professional growth and achievement, service to the university and community, and any other activities which indicate professional commitment, service, or contribution to the discipline, department, school, university, or community.

   To assist applicants in preparing their resumes, the dean of each school shall forward a copy of the Faculty Resume Worksheet (CAM Appendix XII) to each applicant at the beginning of the promotion cycle.

   In preparing resumes, applicants are encouraged to utilize the Faculty Resume Worksheet (CAM Appendix XII) as a guide.

3. In addition to their carefully documented recommendations, department peer review committees, department heads/chairs, school peer review committees, and school deans shall submit a ranking of those promotion applicants who were positively recommended at their respective level.

4. Promotion in rank is in no way automatic and is granted only in recognition of competence teaching competency, professional performance, and meritorious service during the period in rank. The application of criteria will be more rigorous for promotion to professor than to associate professor. Recommendations for promotion of individuals are based on the exhibition of merit and ability in each of the following four factors and their subordinate sub-factors:
a. Teaching Performance and/or Other Professional Performance

Consideration is to be given to such factors as the faculty member's competence in the discipline, ability to communicate ideas effectively, versatility and appropriateness of teaching techniques, organization of courses, relevance of instruction to course objectives, methods of evaluating student achievement, relationship with students in class, effectiveness of student consultation, and other factors relating to performance as a teacher.

In formulating recommendations on the promotion of teaching faculty, evaluators will place primary emphasis on success in instruction. The results of the Student Evaluation of Faculty program are to be considered in formulating recommendations based on teaching performance.

b. Professional Growth and Achievement

Consideration is to be given to the faculty member's original preparation and further academic training, related work experience and consulting practices, scholarly and creative achievements, participation in professional societies, and publications.

c. Service to University and Community

Consideration is to be given to the faculty member's participation in academic advisement; placement follow-up; cocurricular activities; department, school, and university committees and individual assignments; systemwide assignments; and service in community affairs directly related to the faculty member's teaching service area, as distinguished from those contributions to more generalized community activities.

d. Other Factors of Consideration

Consideration is to be given to such factors as the faculty member's ability to relate with colleagues, initiative, cooperativeness, and dependability.

5. Possession of the doctorate or other designated terminal degree from an accredited institution is normally required for promotion.

5-6. Department heads/chairs and deans shall use Form 109 (CAM Appendix I) for evaluation of promotion applicants. Department (school) peer review committees will submit their recommendations in a form that is in accordance with their department (school) promotion procedures.
6.7 Normal Promotion

a. An application for promotion to associate professor is considered normal if the applicant is eligible and both of the following conditions hold:

(i) the applicant is tenured or the applicant is also applying for tenure.

(ii) the applicant has received four Merit Salary Adjustments (MSA's) (while an assistant professor) or the applicant has reached the maximum salary for assistant professor.

b. Tenure is required for promotion to professor. An application for promotion to professor is considered normal if the applicant is eligible and the applicant has received four MSA's (while an associate professor) or the applicant has reached the maximum salary for associate professor.

7.8 Early Promotion

a. An application for promotion to associate professor is considered "early" if the applicant is eligible and one (or both) of the following is (are) true:

(i) the applicant is a probationary faculty member who is not also applying for tenure.

(ii) the applicant has not received four MSA's (while an assistant professor) and the applicant has not reached the maximum salary for assistant professor.

b. Tenure is required for promotion to professor. An application for promotion to professor is considered "early" if the applicant is eligible and the applicant has not received four MSA's (while an associate professor) and the applicant has not reached the maximum salary for associate professor.

c. Early promotion will only be granted only in exceptional cases. The circumstances and record of performance which make the case exceptional shall be fully documented by the candidate and validated by evaluators. The fact that an applicant for early promotion meets the minimum performance criteria for promotion does not in itself constitute an exceptional case for early promotion.
State of California

Memorandum

To: Jan Pieper
    Malcolm Wilson

From: Warren J. Baker
      President

Subject: Academic Senate Resolutions: Resolution on Academic Promotion (AS 274-88/PPC)
         Resolution on Tenure for Academic Employees (AS-275-88/PPC)

Please review the above resolutions with particular reference to any recommendations that change current practices. I would like to discuss these with you before preparing a response to the Academic Senate.
Memorandum

To: Jan Pieper
Malcolm Wilson

Date: March 14, 1988

From: Michael H. Suess, Associate Director
Personnel and Employee Relations

Subject: Academic Senate Resolutions: on Promotion (AS 274-88/PPC) and Tenure (AS-275-88/PPC)

1. 342.2.A, last sentence:

This would prevent the promotion of MPP employees in the Academic Specialist classification. We have had two relatively recent experiences—Mark Cooper and Dennis Nulman—who were at the Associate Professor levels when they went into the MPP. That tracking classification limited them to Administrator II level and as they approached the salary ceiling of Administrator II and/or they reached the point where they would have been considered for promotion had they remained in a teaching position, they decided to apply for reclassification/promotion. After numerous phone calls to the Chancellor's Office we were advised to consult with the faculty from the incumbent's department as one step in the decision process. The faculty refused to make a recommendation because the incumbents had not recently taught.

Another option is to use the tracking classification of Administrative Program Specialist which is at the Administrator III level and make it a University policy not to advance junior faculty in rank while they are in the MPP. The President may wish to adhere informally to this practice without being bound to having it as a written policy in CAM. We should keep in mind that the Chancellor's Office has been considering the discontinuance of the Administrative Program Specialist tracking class and if they do then we would be hard pressed to identify another appropriate classification for Associate Deans. In other words, we lose flexibility.

Recommendation: Delete last sentence of 342.2.A with explanation that President intends to accommodate the suggestion by the Academic Senate when possible, but is reluctant to make it a formal policy because it will reduce his flexibility and would intrude into the position classification process.

2. 342.2.B.2, second paragraph:

This creates a procedural step of requiring the Dean to send a copy of the Faculty Resume Worksheet to each candidate. Currently, CAM encourages candidates to utilize the Worksheet as a guide. A problem with the proposed revision is that if one of the Deans does not send the Worksheet to a candidate, then the candidate can grieve the procedural violation.
Recommendation: Continue current practice. Change paragraph to read:

In preparing resumes, applicants are encouraged to utilize the Faculty Resume Worksheet (CAM Appendix XII) as a guide.

3. 342.2.B.4. Suggest it be modified to read:

Promotion in rank is in no way not automatic and is granted only in recognition of teaching competency, professional performance, and meritorious service during the period in rank. The application of criteria will be more rigorous for promotion to Professor than to Associate Professor. Recommendations for promotion of individuals are based on the exhibition of merit and ability in each of the following four factors and their subordinate sub-factors:

4. 342.2.B -- The following provisions that are currently in CAM need to be retained in the revision, and the subsequent paragraphs renumbered.

5. Possession of the doctorate or other designated terminal degree from an accredited institution is normally required for promotion.

6. Deans will evaluate the administrative responsibilities of department heads/chairs.

7. Normal Promotion...

8. Early Promotion....

5. 342.2.B.7.9.b:

Although the introductory paragraph (342.2.A) states that tenure is required for promotion to professor, it is suggested that the requirement be emphasized in this paragraph.

Recommendation: 343.2.B.7.9.b, add the word tenure after the word "eligible" in second line.

6. 342.2.B.7.9.c:

It may be helpful at the end of the paragraph to add: "The Candidate must demonstrate exceptionally meritorious performance" as a qualification.
AS-275-88/PPC

1. 344.B.3, second paragraph, should be deleted and replaced with wording recommended in item 2, above (Academic Promotions).

2. 344.B.5 -- Add the following wording which is currently CAM 344.2.D as second paragraph:

   To be recommended for tenure the employee must be rated during the final probationary year within one of the top two performance categories listed in Section V of the Faculty Evaluation Form.

3. 344.B.6, second line, and 344.B.7.a, second line, add the word "academic" after "(6)".

4. 344.B.7.d, first line, change the word "shall" to "should" in order to preserve flexibility for the President as provided by the MOU.