

UNIVERSITY FACULTY SENATE

DIGEST OF SPECIAL MEETING

DECEMBER 13, 1971

CONVENED: 4:05 PM

ANNOUNCEMENTS: President Bonner called attention to an article appearing in The Review on December 10, 1971, concerning faculty appeal procedures. Article contained misinformation. A Senate committee cannot override a department recommendation.

BILLS PASSED: S.B. 57a - Faculty Senate passed Recommendation No. 1 as amended at last regular meeting on December 6, 1971. Changes in tenure.
S.B. 57b -Approved as sent to Senate by Committee.
S.B. 57c -Approved as sent to Senate by Committee.
S.B. 57d -Amended recommendation approved.
S.B. 57e -Amended recommendation approved.

S.B. 57 - Committee on Promotion and Tenure -
The amended fifth recommendation was passed by voice vote. The report of the committee was partially accomplished in the Senate Meeting of February 22, 1971 (S.B. 37), and the report of the Committee on Promotion and Tenure was fully accomplished at the University Faculty Senate meeting on December 13, 1971. (The Faculty Personnel Policy Committee was to make general recommendations dealing with principle and practice of contract renewal, promotion and granting of tenure. This report was accepted by Senate on February 22, with the single exception of Specific Recommendation #5 which was referred to the Committee on Promotion and Tenure, the latter being accepted by Senate on December 13.)

BILLS REPORTED: S.B. 72 - A. J. DeArmond - concerning a student's right to drop a course without penalty. Referred to Committee on Undergraduate Studies.

S.B. 70 - Ad Hoc Committee on Publications and Press -
Routine for selection of members of Editorial Committee. Committee to meet and confer with Committee on Committees and report back at next regular meeting of the Senate.

RESOLUTION REPORTED: S. Res. 54 - Committee on Faculty Welfare and Privileges -
Concerning priorities in granting summer grants.

MEETING ADJOURNED: 5:45 PM.

A RECOMMENDATION TO EXCLUDE FACULTY
ON "SOFT-MONEY" CONTRACTS FROM TENURE

Subsequent to the Senate's passage on December 6, of an amended version of the Promotion and Tenure Committee's Recommendation Number 1 pertaining to changes in tenure rules for instructors, lecturers and assistant professors, the Committee met with, along with others, to give further consideration to the implications of the new rule for so-called "soft money" contracts at the University.

As a result of these discussions, it is the Committee's unanimous conviction that some effort should be made to exempt faculty members on contracts financed by "soft money" from the tenure rules applicable to the rest of the faculty.

Although it is quite correct that all University money is "soft" in the sense that there is no absolute guarantee of its continuance at any fixed level into the indefinite future, the Committee does believe that a meaningful distinction can be drawn between those activities financed with non-recurring funds for which there is a specified cutoff date, and those financed from endowment, state appropriation or student fees for which there is no specified cutoff date. In the rest of this report, "soft money" contracts will be treated as those in the former category.

It seems clear that a considerable number of projects now underway at the University fall within the "soft money" category as defined above. In addition, there seems little doubt that, in the future, many more such contracts will become available.

The Promotions and Tenure Committee is concerned lest the amended Recommendation Number 1 passed last Monday as well as this Committee's Recommendation Number 2 - both of which recommend tenure after a specified time period - make it difficult for the University to accept future such "soft-money" contracts.

If, for example, a soft-money contract with a specified four-year period, should be accepted by the University, Associate Professors hired for it would automatically receive tenure after three years at the University if this Committee's Recommendation No. 2 were passed. If the contract should then be renewed for another four-year period, all instructors, lecturers and assistant professors hired under it would also be eligible for tenure.

Despite the "financial exigency" aspect of tenure, it is this Committee's concern that the Trustees may feel that acceptance by them of the amended Recommendation No. 1 plus Recommendation No. 2 on tenure, may constrain them from accepting future "soft-money" contracts. Thus, they (the Trustees) may feel they must reject the proposed changes in tenure rules in order to keep open their option to accept such "soft-money" contracts.

In order to enhance the likelihood that the Senate's views on changes in tenure rules will be accepted by the Trustees, the Committee on Promotions

and Tenure recommends action to exempt faculty on "soft-money" contracts from the tenure "track."

The Committee has contacted the AAUP national headquarters in Washington and received their assurance that such treatment is common and constitutes no violation of the AAUP position on tenure.

Specifically the Promotions and Tenure Committee recommends the following addition to the section headed "Academic Freedom and Tenure" in the Faculty Handbook:

"Those members of the faculty who are hired with the understanding that their salaries are derived from non-recurrent funds with a specified cut-off date shall not be eligible for tenure. However, should a program initially financed with non-recurrent funds under a contract with a specified cutoff date, be taken over by the University and financed with regular recurring funds, faculty members involved therein shall become eligible for tenure and may count all years at the University toward such eligibility. Faculty members currently in this category shall be notified of this fact and shall have an appropriate notation to that effect on all subsequent contracts."

Promotions and Tenure Committee

SPECIAL MEETING OF THE UNIVERSITY FACULTY SENATE

December 13, 1971

MINUTES

The special meeting of the University Faculty Senate was called to order at 4:05 PM. Senators not in attendance were:

Irma Ayers	Dorothy A. Kennedy	William Pulliam
William J. Benton	James R. Krum	Charles A. Rowe
Mary K. Carl	Jerzy R. Moszynski	John W. Shirley
John S. Crawford	Dorothy H. Moser	Robert W. Stegner
William S. Gaither	John A. Munroe	Edward A. Trabant
Jay L. Halio	Richard B. Murray	Laszlo Zsoldos

I. ANNOUNCEMENTS

Mr. Bonner called to the attention of the Senate an article appearing in The Review on December 10, 1971, concerning faculty appeal procedures. The article in question implied that the Promotion and Tenure Committee had responsibility for faculty grievances and had the power to override the department of English. An examination of the Senate committee structure reveals that the Promotion and Tenure Committee charge deals with procedural and due process matters concerning promotion and tenure whereas the Committee on Faculty Welfare and Privileges is charged with hearing individual grievances. In any case, a Senate committee cannot override a department recommendation.

II. OLD BUSINESS

(1) Report from the Committee on Promotion and Tenure (Continued)-

S. 57a

The Faculty Senate passed Recommendation No. 1 as amended at the last regular meeting on December 6, 1971.

Mr. Harlan made a motion to amend Recommendation No. 2 by changing "three-year contracts" to Associate Professors appointed from outside the University to "five-year contracts." After considerable debate the amendment failed.

S. 57b &
S. 57c

Recommendations No. 2 and No. 3 were approved as sent to Senate by Committee.

Mr. Wriston made a motion to amend Recommendation No. 4 to read as follows:

"The decision to continue with tenure, or to terminate instructors, lecturers and assistant professors with six or more years at the University as of September 1, 1971, may be postponed for one year after approval of Recommendation No. 1 by the Board of Trustees."

S. 57d

After considerable discussion, amended Recommendation No. 4 was passed by voice vote.

A fifth recommendation was made by the Committee:

"Those members of the faculty who are hired with the understanding that their salaries are derived from non-recurrent funds with a specified cut-off date shall not be eligible for tenure. However, should a program initially financed with non-recurrent funds under a contract with a specified cut-off date, be taken over by the University and financed with regular recurring funds, faculty members involved therein shall become eligible for tenure and may count all years at the University toward such eligibility. Faculty members currently in this category shall be notified of this fact and shall have an appropriate notation to that effect on all subsequent contracts."

The following amendment to the fifth recommendation was made:

"Those members of the faculty who are hired with the understanding that fifty percent or more of their salaries are derived from nonrecurrent funds with a specified cut-off date shall not be eligible for tenure. However, should a faculty member initially financed with non-recurrent funds be given a contract financed with regular recurring funds, she/he shall become eligible for tenure and may count all years at the University toward such eligibility. Faculty members on non-recurring funds shall be notified of this fact and shall have an appropriate notation to that effect on all subsequent contracts."

S. 57e

The amendment was passed, and the amended fifth recommendation was passed by voice vote.

A full copy of the amended recommendations is attached.

III. NEW BUSINESS

- (1) Resolution from the Committee on Faculty Welfare and Privileges concerning priorities in granting summer grants -

Mr. Weil made a motion that this resolution be postponed until the next regular meeting. Motion passed by voice vote.

- (2) Resolution from A. J. DeArmond concerning a student's right to drop a course without penalty -

"1. That a student may drop a course without penalty until the end of the sixth week of classes in any full-length semester.

- "2. That the instructor shall indicate on the appropriate form the exact standing of the student at the time of his dropping the course--i.e., he shall write WA, WB, WC, WD, WF, or--if the student has completed no significant part of the course--W, and that this grade shall stand on the student's record.
- "3. That under special circumstances the dean of the appropriate college, with the consent of the instructor concerned, may permit a student to drop a course without penalty after the sixth week of classes.
- "4. That the above provisions shall go into effect beginning with the second semester of 1971-1972."

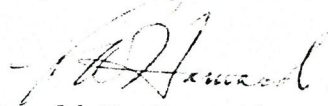
A motion was made and seconded that this resolution be referred to the Committee on Undergraduate Studies with an early date for having it out of Committee. The referral passed by voice vote.

(3) Report from the Ad Hoc Committee on Publications and Press

The report presented by the Ad Hoc Committee on Publications and Press suggested a routine for the selection of the members of its Editorial Committee which was viewed by many Senate members as inconsistent with how committees of the faculty ought to be selected. References to the selection of committee members as appointed by the President or as nominees approved by the President were dropped by vote of the Senate. Since the document still did not reflect what was considered to be agreeable and reasonable in light of the faculty bylaws and in light of the President of the University's obligations under the Charter, it was suggested by Mr. Anapol that the Committee take its report, with the provisional amendments suggested by the Senate, back to Committee. When their Committee meets, it was suggested they confer with the Committee on Committees. At the next regular meeting of the Senate a full revised report will be submitted to the Senate.

The meeting adjourned at 5:45.

Respectfully submitted,


Donald W. Harward, Secretary

Attachment

AMENDED RECOMMENDATIONS TO REPORT FROM THE
COMMITTEE ON PROMOTION AND TENURE

RECOMMENDATION NO. 1 - S. 57a

It is the specific recommendation of this Committee that the second paragraph on Page 4-11 (Section IV-F, "Tenure and Academic Freedom") of the Faculty Handbook be replaced with the following two paragraphs:

"Assistant professors are appointed for an initial term of from one to three years; reappointments at this rank are normally for three-year terms. Appointments of assistant professors to serve beyond seven years at this University will automatically carry tenure.

"Appointments and reappointments for instructors and lecturers are on an annual basis. After a faculty member has served a six-year probationary period as an instructor or lecturer at this University, he must receive tenure, or receive notice of termination before December 15 of his seventh year."

RECOMMENDATION NO. 2 - S. 57b

Secondly, we recommend that in the first paragraph, last line, on Page 4-11, (Section IV-F, "Academic Freedom and Tenure") of the Faculty Handbook, the word "normally" be replaced with "automatically." Such a change would insure that all associate professors with at least three years service at the University would receive tenure.

RECOMMENDATION NO. 3 - S. 57c

The Committee recommends that all references to and descriptions of tenure on Pages 4-5, 4-6, and 4-7 (Section IV-C, "Promotion Policy, Rank and Tenure") be deleted. This was recommended to the Senate in the F.P.P.C. Report of February 22, 1971, subject to a report on tenure by the Promotions and Tenure Committee. It is our proposal that these references be permanently deleted so that tenure policy is described only in Section IV-F, "Tenure and Academic Freedom."

RECOMMENDATION NO. 4 - S. 57d

The Committee recognizes that passage of Recommendation No. 1 may create some transitional problem in some departments. For example, if Recommendation No. 1 were to be enacted this year, departments with instructors or lecturers currently on their faculty who have already completed six years at the University might be confronted with the need to make a sudden decision whether to promote or terminate. Similarly departments with assistant professors who have already served six or more years at the University would be confronted with the need to make an immediate decision whether to continue the faculty member with tenure or to terminate. In order to avoid forcing precipitous action in such cases, the Committee recommends that the Senate pass a resolution postponing the applicability of the new tenure rules in the cases of instructors, lecturers or assistant

Recommendation No. 4 (Continued)

professors who have already spent six years in rank in the year of the passage of Recommendation No. 1.

Specifically, we suggest the following resolution:

"The decision to continue with tenure, or to terminate instructors, lecturers and assistant professors with six or more years at the University as of September 1, 1971, may be postponed for one year after approval of Recommendation No. 1 by the Board of Trustees."

RECOMMENDATION NO. 5 - S. 57e

Specifically the Promotions and Tenure Committee recommends the following addition to the section headed "Academic Freedom and Tenure" in the Faculty Handbook:

"Those members of the faculty who are hired with the understanding that fifty percent or more of their salaries are derived from nonrecurrent funds with a specified cut-off date shall not be eligible for tenure. However, should a faculty member initially financed with non-recurrent funds be given a contract financed with regular recurring funds, she/he shall become eligible for tenure and may count all years at the University toward such eligibility. Faculty members on non-recurring funds shall be notified of this fact and shall have an appropriate notation to that effect on all subsequent contracts."

Faculty Senate
December 13, 1971

