

UNIVERSITY FACULTY SENATE

DIGEST OF REGULAR MEETING

DECEMBER 6, 1971

CONVENED: 4:10 PM.

ROUTINE PROCEEDINGS: Minutes of November 8 meeting were approved; adoption of the agenda as distributed.

BILLS REPORTED: S. 57a - (Committee) Recommendation No. 1 (first of five recommendations) as amended passed 24-16,

ADJOURNED: 5:40 PM.

REPORT FROM THE COMMITTEE
ON PROMOTIONS AND TENURE ON
THE QUESTION OF CHANGES IN
TENURE RULES

INTRODUCTION

On February 15, 1971, the University Faculty Senate received a Report from the Faculty Personnel Policy Committee on "Criteria and Procedures for Contract Renewal, Promotion and Granting of Tenure." The report included a number of general recommendations dealing with principle and practice in respect to these matters and nine specific recommendations for revisions of the Faculty Handbook statements pertaining to them.

The Senate accepted the F.P.P.C. Report with the single exception of Specific Recommendation #5 which was tabled and referred to the newly created Committee on Promotions and Tenure. The Committee on Promotions and Tenure was charged to study it and report back to the Senate with recommendations for specific action.

Specific Recommendation #5 in the F.P.P.C. Report read as follows:

"(5) The Committee is divided on what recommendation to make concerning the matter of tenure. Two alternate ways of changing Section IV-F, Tenure and Academic Freedom, second paragraph on page 4-11, are presented below. The first proposal would put us in line with the 1940 Statement of Principles of the AAUP; the second proposal would make it possible for persons below the rank of associate professor to be granted tenure.

"(a) Alternate No. 1

"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 and reappointments for instructors are on an annual basis. Reappointments of assistant professors or instructors beyond a seven year probationary period will also automatically carry tenure.

"(b) Alternate No. 2

"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 and reappointments for instructors are on an annual basis. Reappointments of assistant professors or instructors beyond a seven year probationary period will also automatically carry tenure, unless a specific stipulation to the contrary is contained in the contract signed by the faculty member involved."

PROCEDURE OF STUDY

The Promotions and Tenure Committee has met weekly since its formation (excluding the summer months) with the majority of its time to this point devoted to consideration of the tenure issue. Committee members have studied

Report from the Committee on Promotions and Tenure on
The Question of Changes in Tenure Rules

a significant portion of the extensive literature available on the subject of tenure. The Committee has also received valuable testimony from a number of faculty members of differing views and from a number of members of the University administration. Finally, the Committee has benefitted immensely from spirited intra-committee discussion regarding the basic philosophy behind tenure and its specific application.

GENERAL PHILOSOPHY TOWARD TENURE

The freedom to express unpopular or unorthodox views and to pursue scholarly investigation into areas of sensitivity and controversy is absolutely vital to the very existence of a University and the search for truth. The single fundamental purpose of permanent tenure for University faculty members is the protection of these critical elements of academic freedom in their teaching and scholarly pursuits. This Committee is unanimous in its conviction that tenure is an essential guarantor of the academic freedom without which a true University cannot exist.

We are, however, cognizant of the fact that the privilege of permanent tenure carries with it heavy responsibilities. In the first place we view permanent tenure as a professional perquisite properly attainable only after a faculty member's colleagues have had sufficient opportunity to observe his work and to certify that he has fulfilled all the conditions required for recognition as a fully professional academician in his field. It is our view that the attainment of one of the professorial ranks constitutes reasonable evidence of such professional status and development.

The faculty member, therefore, has the responsibility of demonstrating his professional competence before the privilege of permanent tenure should be granted. The faculty member who has already earned the tenure privilege bears the heavy responsibility of using it as a mature professional with constant awareness of his obligations to his students, his institution, his discipline and his colleagues.

The grant of tenure also imposes important responsibilities on the academic departments and Colleges. It is their obligation to commit themselves to the most careful, painstaking processes of review of a faculty member's performance and potential before granting permanent tenure. Additionally, regular and thorough review of the performance of tenured faculty are required to insure that the tenure privilege is being employed as it is intended - to protect the academic freedom of professional, contributing academicians.

Assuming that these responsibilities are unreservedly accepted and faithfully carried out, this Committee views tenure as not only desirable, but absolutely essential for the pursuit and dissemination of knowledge.

SPECIFIC RECOMMENDATIONS

In accordance with the preceding philosophy, this Committee recommends that any faculty member who has completed a six-year probationary period at this University and has achieved the rank of assistant professor shall either be given a one-year terminal contract during his seventh year or granted tenure.

We believe that it is improper for a University to retain a large number of faculty members indefinitely in ranks which do not provide the protection to academic freedom required to be active, outspoken, contributing members of the faculty. Therefore, we recommend that any faculty member who has completed a six-year probationary period in the instructor or lecturer rank without demonstrating sufficient professional development to be recommended by his departmental colleagues for promotion to the rank of assistant professor, should receive notice of termination before December 15 of his seventh year.

Essentially this means that no one could continue as a full time faculty member at the instructor or lecturer rank beyond seven years. If after six years observation, his departmental colleagues do not consider him worthy of promotion to the assistant professor rank, he would be terminated as a full time faculty member in the following year.

It is, of course, absolutely essential that the academic departments retain autonomy in the professional judgment required to determine which of their colleagues should be promoted to the assistant professor rank and, hence, acquire tenure.

If "flexibility" requirements so dictate, a faculty member with seven years in the instructor or lecturer rank who is not promoted to assistant professor, could be retained on a part-time basis or on some basis not carrying faculty status.

RECOMMENDATION NO. 1

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 then be promoted to assistant professor and receive tenure, or receive notice of termination before December 15 of his seventh year."

RECOMMENDATION NO. 2

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

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

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 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:

"Action to promote or terminate currently employed instructors or lecturers with six or more years at the University at the time of enactment of Recommendation No. 1 may be postponed until two years after the time of such enactment. The decision to continue with tenure, or to terminate assistant professors with six or more years at the University at the time of enactment of Recommendation No. 1 may be postponed for one year after the time of such enactment."

Such a resolution if passed by the Senate, would give instructors and lecturers the opportunity to take some action to qualify themselves for promotion. In addition, it would provide the departments time to arrive at a considered decision regarding actions to promote, terminate, or grant tenured status.

Promotions and Tenure Committee
H. Hutchinson, Chairman
H. Harlan
H. Kwart
M. Termini
S. B. Woo

RESOLUTION FROM COMMITTEE ON FACULTY WELFARE AND PRIVILEGES

Whereas the recent price-wage freeze has most seriously affected the stipends (already too low, in many instances) of junior faculty members, causing many of them to seek supplementary income through recourse to extension teaching and similar overloads, and thus surrender time that might otherwise be given to research or the improvement of their regular courses, the Committee on Faculty Welfare and Privileges recommends that the Senate adopt the following resolution:

Resolved, that the Senate Committee on Research and the Committee on Honors, and the Administration's Advisory Committee on Instruction give special consideration this year to junior faculty members when making their awards for research, teaching excellence, and improvement of instruction.

11/29/71

MOTION FROM PROF. A. J. DE ARMAND

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 a course--i.e., he shall write WA, WB, WC, WD, WF, or--if the student has completed no significant part of the course--W.
3. That a grade so given shall stand on the student's record until his graduation, at which time it shall be removed.
4. That the above provisions shall go into effect at the beginning of the second semester of the 1971-72 academic year.

11/29/71

AD HOC COMMITTEE ON PUBLICATIONS & PRESS

Recommendations Pertaining to the Editorial Committee of the University of Delaware Press

Introduction

From the Ad Hoc Committee's point of view, the University President's establishment of the University of Delaware Press is laudatory and an encouraging development. It should be noted, however, that to be a success, even in its present form, the University of Delaware Press must receive major support from the University Community. The rate of attrition and the degree of success among university presses established in the last decade indicates that even qualified success is by no means assured. It is with these notions in mind that the Ad Hoc Committee proposes the following structure and functioning for the editorial committee of the University of Delaware Press.

Proposed Organization of Editorial Committee

The organization for the execution of the rights and obligations of the University of Delaware Press pursuant to the contract with Temple University Press shall consist of an editorial committee.

The editorial committee will consist of nine (9) members appointed by the President, and the Director of Libraries, the Dean of Graduate Studies, and the Director of the Press. The committee will elect its own chairman. The terms of the appointed faculty members will be three (3) calendar years beginning September 1, staggered to insure maximum continuity in the committee. Appointed members may serve no more than two (2) consecutive terms. Each Spring the editorial committee will submit to the Committee on Committees of the University Senate, a set of nominees for the positions that will be vacated the following Autumn. The Committee on Committees will present these nominees and additional nominees it so desires at the May meeting of the University Senate for selection of the final list equal in number to the vacancies. The list of nominees so selected will be presented to the President for his approval.

The Editorial Committee will have the following duties:

1. To prepare and present an annual budget to the Chief Budget Officer.
2. To solicit and develop scholarly manuscripts.
3. To select editorial referees outside the University.
4. To accomplish preliminary screening of manuscripts and the selection of those manuscripts to be submitted to outside referees.

5. To evaluate referee reviews.
6. To determine the priorities for publication for the press.
7. To make a determination of books to be published.
8. To submit the final draft of an accepted manuscript in an approved form to the Temple University Press.
9. To publicize the University of Delaware Press.

In all instances in which voting is required to discharge the above duties, given that a quorum is present (a simple majority) decisions may be made by a simple majority of those present and voting.

At some later date, the University may want to consider providing for the appointment of non-faculty members from the University Community to the editorial committee.

Discussion

The organization of the editorial committee suggested above is not unusual, save for the procedure by which members are appointed. The typical practice in university presses is to have members appointed by the president or, in many cases by the board of trustees. The procedure recommended by the Ad Hoc Committee is the consequence of the President's expressed desire for "grass roots" support for the Press.

It should be noted that the editorial committee differs from standing committees of the University Faculty Senate in several important respects. First, the editorial committee is being created as the consequence of a contract executed between the President of the University of Delaware and Temple University Press. The editorial committee is not being created at the initiation of the University Faculty Senate. Alternately stated, if there were no contract between Temple University Press and the President of this University, there would be no purpose in creating an editorial committee.

Second, the editorial committee's primary responsibility, the success of the University Press, will involve relations and obligations that extend well beyond the purview of University Faculty Senate Standing Committees. The editorial committee, when established, will routinely commit University resources to projects beyond the usual boundaries of activity. The President is directly responsible for the allocation of these resources.

Thus, the active cooperation and mutual support between the President and the editorial committee is imperative if the University of Delaware Press is to be successful.

Finally, in the past at the University of Delaware, the relations between administrators and faculty committees charged with editorial responsibilities have, at times, been less than cordial. It would be very unfortunate if this situation should emerge between the proposed editorial committee and the responsible administrators. Thus the Ad Hoc Committee

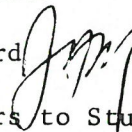
believes that, while this situation cannot be prevented, the inclusion of administrators both in the selection of appointed members and of relevant administrators on the committee itself, will have the effect of moderating this potentially corrosive situation.

November 29, 1971

UNIVERSITY OF DELAWARE
NEWARK, DELAWARE
19711

OFFICE OF THE DEAN OF STUDENTS
220 HULLIHEN HALL
PHONE: 302-738-2116

November 10, 1971

MEMO TO: Dr. David Ingersoll, Vice President, Faculty Senate
FROM: Johan A. Madson, Secretary, Judicial Policy Board 
SUBJECT: Judicial Policy Board motion eliminating advisors to Student Court

On October 21, 1971 the Judicial Policy Board after a lengthy serious discussion passed the following motion:

The two non-voting advisors are removed from membership on the Student Court and the advisor is eliminated from the requirement for the Student Court.

At the time the motion was passed it was the belief of the Judicial Policy Board that the Student Judicial System document gave the Judicial Policy Board the power and the responsibility to make this change and thus they felt it took effect immediately (with the understanding that the Faculty Senate could over-rule the decision of the Board).

After much discussion, Dr. Bonner, President of the Faculty Senate, ruled in behalf of the Faculty Senate that the change had to be sent to the Faculty Senate for approval prior to its implementation.

Therefore, the members of the Judicial Policy Board request that this motion be placed on the agenda of the Faculty Senate at the earliest possible time. We further request that the members of Judicial Policy Board be notified of the date when the motion will be on the agenda and invited to attend and speak (note the four members are students).

Thank you for considering this request. If you have any questions, please call me.

JAM:jk

cc: Dr. Gordon Bonner, President, Faculty Senate
Mr. John Corradin, Chairman, Judicial Policy Board