

SPECIAL MEETING OF THE UNIVERSITY FACULTY SENATE

SPECIAL MEETING OF THE UNIVERSITY FACULTY SENATE TO CONSIDER ITEMS RELATED TO CNTT TITLES AND PROMOTION

MAY 28, 2014 – 104 GORE HALL

MINUTES

- Members Present:** B. Ackerman, T. Angell, L. Awad, A. Bell, N. Brickhouse, M. Buell, N. Carver, L. Classens, R. Cole, J. Courtright, K. Cranker, J. Custer, J. Daniel, P. Dhurjati, N. Donofrio, P. Duker, C. Dybowski, S. Eidelman, D. Ford, D. Galileo, S. Goodwin, D. Grasso, B. Hanson, E. Hayes, F. Hofstetter, J. Jebb, A. Jones, P. Laux, M. McLane, M. McLeod, J. Morgan, J. Morrison, B. Ogunnaike, L. Okagaki, B. Orzada, P. Penix-Tadsen, S. Pollack, D. Reisman, C. Riordan, D. Satran, E. Selva, B. Settles, S. Shabo, C. Shen, H. Tanner, N. Targett, D. Thompson, K. Turkell, T. Vermeer, G. Watson, B. Weber, L. Winn, R. Wisser
- Members Excused:** M. Gaffney, S. Hansen, G. Hermon, T. Hsu, M. Kernan, K. Matt, D. Miklitz, A. Muenchow, J. Mycoff, M. Rieger, C. Williams, R. Wool
- Members Absent:** S. Brotzman, E. Armstrong-Dunbar, R. Dyer, G. Heath, S. Isenstadt

President Galileo stated that seventeen Senators had petitioned on May 15th to hold a special meeting. The meeting was called by President Galileo “to consider items related to CNTT title changes and promotion”. He mentioned that none of the resolutions related to CNTT had come out of the P&T committee. The executive committee had voted unanimously to take the resolutions out of the committee. Senator Jim Morrison questioned as to why the agenda had four more resolutions when the intent was to look at only two resolutions. President Galileo said that the President has the responsibility to set the agenda. The executive committee had earlier unanimously voted to send the other four resolutions to the P&T committee to give the Senators a broader choice of things to vote on. President Galileo also said that it was not the prerogative of Senator Morrison to limit the Senate meeting agenda to only two resolutions but rather this was the prerogative of the Senate.

I. Adoption of the Agenda

The agenda was adopted with three senators voting against

II. Approval of the Minutes: [May 5, 2014](#)

Approved unanimously

III. Announcements: Senate President Deni Galileo

See attached [slides](#). Tom LaPenta, Chief Human Resources Officer had informed President Galileo on May 20th that the President's executive committee approved the latest draft of the Tobacco-free policy and it will go into effect on August 1, 2014. The only apparent change in the policy from the one discussed at the March Senate meeting was that the prohibition of receiving money from tobacco companies was removed.

IV. Regular Agenda

A. Old Business: None

B. New Business:

1. Resolution introduced at the May 5th Senate meeting (substituted in committee).

WHEREAS, the University of Delaware has been a leader in non-tenure equity by allowing teaching, clinical, research, and service faculty to have titles, pay, and sabbaticals equivalent to tenure-track faculty, and

WHEREAS, offering titles for Continuing Non-Tenure Track (CNTT) faculty such as "Assistant Professor" enables UD to recruit and retain the best faculty, and reinforces the commitment of all faculty to perform at levels of excellence in multiple roles, and

WHEREAS, the titles held by CNTT faculty before April 2014 were, according to Human Resources records, Instructor, Assistant Professor, Associate Professor, and Professor, not modified (unless by inclusion of an honorary named professorship), and

WHEREAS, through his April 21, 2014 actions with Human Resources and April 25 email to faculty that introduced the practice of modifying the titles of CNTT faculty, the Provost did not follow the formal procedure for consulting the University Faculty Senate that is described in Article XVII ("Maintenance of Practices") in the current Collective Bargaining Agreement, therefore be it

RESOLVED, that the Faculty Senate requests that the Provost rescind recent changes in the practice of titling CNTT positions, and that **henceforth** associated hiring letters and other documents ~~be updated to~~ reflect the reversion to previous practice prior to April 2014, and be it further

RESOLVED, that a commission with representation from, consultation with, and agreement by, the administration, faculty senate, the CNTT caucus, and the AAUP, will be given the task of investigating issues regarding titling and promotion of CNTT faculty, and be it further

RESOLVED, that the commission will be charged with developing actionable items for consideration by the full Faculty Senate, and be it further

RESOLVED, that the Faculty Senate will consider the actionable items when presented by the commission.

~~There was Senator Satran made a motion to amend the resolution by adding one word “henceforth” before the words “associated hiring letters” in the first RESOLVED (as shown above in red) and also to delete the words “be updated to” in the first RESOLVED (as shown above in red). The amended resolution was passed by a vote of 36 in Favor and 9 Against with no official abstentions.~~

2. Resolution introduced at the May 5th Senate meeting.

WHEREAS, The University of Delaware is committed to providing professional development and paths to promotion for all faculty, including continuing non-tenure track faculty (CNTT), and

WHEREAS, Some readers see a contradiction between the faculty handbook, which states that “Non-tenure track faculty may hold higher academic ranks and to do so must meet the same criteria for academic rank as is required for tenure track faculty” and the Collective Bargaining Agreement (2013-2016), which states that “an individual’s assigned workload shall be considered in the promotion and tenure and peer review process....”, and

WHEREAS, Units have interpreted these statements differently, with some units requiring CNTT faculty to be promoted on their excellence in instruction or service (when that is their primary workload), and other units requiring CNTT faculty to be promoted on their scholarly productivity, even when their workload is primarily in the areas of teaching or service, and

WHEREAS, It is possible to document and evaluate a faculty member’s impact and effectiveness in any faculty workload area, including teaching, service, or clinical training, be it therefore

RESOLVED, That the Senate shall clarify promotion guidelines for CNTT in the faculty handbook so that they can be promoted based on their excellence in their area of primary workload, and the promotion guidelines shall provide examples of the types of evidence that can document faculty excellence and impact in teaching, service, or clinical work.

~~There was Senator Satran made a motion to send Resolution #2 to the P&T Committee and for the remaining motions to be postponed while the CNTT~~

commission was working on this matter. This was followed by a discussion on whether “all remaining resolutions” should be sent to P&T committee or whether “only the second resolution” should be sent to P&T committee. Senator Brian Hanson thought that it would be a cleaner motion to send all the remaining resolutions to the P&T committee. Senator Kathleen Turkell (Women and Gender Studies) said that it was not clear why Resolution 2 is so different from Resolutions 3 through 6. Senator Ron Cole said that the distinction was that Resolutions 3 to 6 were resurrected during Easter. There was a motion to “call the question”. The vote was 45 in Favor with no vote against and no abstentions. This was followed by a vote on the motion to send the second resolution to the P&T committee with the rest being postponed. The vote was 42 in Favor with two against and no official abstention.

3. New Standard for Promotion and Tenure for All Faculty ([attachment 1](#)) ([attachment 2](#))

WHEREAS, Section 4.1.6 (“Non-Tenure Track Faculty”) of the Faculty Handbook of the University of Delaware provides that non-tenure track faculty may be hired as “instructional, clinical, public service or research faculty;” and

WHEREAS, Section 4.1.6 further provides that non-tenure track faculty must meet the requirements for the rank of instructor and may hold a rank higher (i.e., assistant, associate, or professor) so long as they meet the “same criteria” for such academic rank as is required for tenure track faculty; and

WHEREAS, Section 4.4.1 of the Faculty Handbook requires that tenure-track faculty seeking a promotion must at a minimum demonstrate “excellence” in *either* scholarship or teaching and high quality in all other categories (including service), and Section 4.4.2 of the Faculty Handbook permits departments to require that tenure-track faculty seeking a promotion demonstrate “excellence” in *both* scholarship and teaching, and some departments have adopted such standard; and

WHEREAS, many non-tenure track faculty have no workload assignment to scholarship or service, and others have no workload assignment to teaching, and thus many non-tenure track faculty are unable to satisfy the aforementioned requirements for promotion; and

WHEREAS, it is important to provide non-tenure track faculty with a fair opportunity for a promotion in rank; be it therefore

RESOLVED, that Sections 4.4.1 and 4.4.2 of the Faculty Handbook shall be amended to adopt a new standard for promotion and tenure, one requiring that all faculty seeking a promotion or tenure demonstrate evidence of “excellence in their academic endeavors,” and that the faculty in their departments and academic units shall provide specific details and guidance as to what constitutes excellence in one’s academic endeavors in that department, unit, or relevant academic discipline.

4. Titles for Temporary and Continuing Non-Tenure-Track Faculty ([attachment 1](#)) ([attachment 2](#))

WHEREAS, Section 4.1.6 (“Non-Tenure Track Faculty”) of the Faculty Handbook of the University of Delaware provides that non-tenure track faculty may be hired at the rank of instructor; and

WHEREAS, Section 4.1.6 (“Non-Tenure Track Faculty”) of the Faculty Handbook of the University of Delaware further provides that non-tenure track faculty may be hired as “instructional, clinical, public service or research faculty;” and

WHEREAS, Section 4.1.6 further provides that non-tenure track faculty must meet the requirements for the rank of instructor and may hold a rank higher (i.e., assistant, associate, or professor) so long as they meet the “same criteria” for such academic rank as is required for tenure track faculty; and

WHEREAS, at a university aspiring to achieve national prominence as a research institution by encouraging scholarship among faculty, it is important to reserve the traditional academic titles of assistant professor, associate professor, and full professor to those faculty who conduct and excel in scholarship; and

WHEREAS, it is also important to provide non-tenure track faculty with a fair opportunity for a promotion in rank as well as an appropriate title; be it therefore

RESOLVED, that Sections 4.1.6 of the Faculty Handbook shall be amended to provide that non-tenure track faculty who are hired and promoted in rank shall have titles appropriately identifying the workload assignment for which they were hired and in which they have excelled, taking into account that the title of full professor shall be reserved for those who demonstrate, among other things, excellence in scholarship, and accordingly, only tenure track and tenured faculty shall hold the traditional academic titles of assistant professor, associate professor, and full professor.

5. Promotion for Instructors ([attachment 1](#)) ([attachment 2](#))

WHEREAS, Section 4.1.6 (“Non-Tenure Track Faculty”) of the Faculty Handbook of the University of Delaware provides that non-tenure track faculty may be hired at the rank of instructor; and

WHEREAS, no opportunity for promotion is available to non-tenure track faculty who hold the rank of instructor, even those who undergo a satisfactory peer review and receive the requisite approvals from their chair/director/dean and the provost; and

WHEREAS, it is important to provide instructors with an opportunity for a promotion in rank (and title) to establish an equitable system for our colleagues who are instructors; be it therefore

RESOLVED, that the Faculty Handbook shall be amended to provide for three ranks of instructor (specifically, instructor I, instructor II, and instructor III) and allow for promotions in rank for instructors who meet the criteria for promotion set forth in the Faculty Handbook, attain a satisfactory peer review as well as the required administrative approvals following the six-year probationary period and then again following the peer review after the three-year and four-year contracts; and be it further

RESOLVED, such promotions in rank for non-tenure track instructors shall be accompanied by salary adjustments comparable to those provided to faculty upon promotion to associate and full professor unless such salary adjustment was already provided to that faculty member.

6. Requirements for Promotion to Full Professor ([attachment 1](#)) ([attachment 2](#))

WHEREAS, Section 4.4.2. of the Faculty Handbook (“Minimum Standards for Promotion”) of the Faculty Handbook of the University of Delaware provides that the rank of full professor is reserved for those who have established reputations in their fields and whose contributions to their profession and the University's mission are excellent; and

WHEREAS, the rank of full professor should be further limited to those who possess a national reputation for excellence in their scholarship and have had a positive impact in their academic field or discipline through their scholarship; be it therefore

RESOLVED, that Section 4.4.2 of the Faculty Handbook shall be amended to provide that those eligible to hold the rank of full professor must possess, in addition to all other requirements, a national reputation for excellence in their scholarship and have had a positive impact in their academic field or discipline through their scholarship.

V. Introduction of New Business:

Such items as may come before the Senate. (No motion introduced under new business, except a motion to refer to committee, shall be acted upon until the next meeting of the Senate.)

Senator Morgan said that he would like to know more about what Academic Analytic does and hear a presentation about it later this year.

Provost Grasso said that he wanted to discuss the commission. He said that the Provost's office would work with the Senate in forming the commission. He wanted to work with

the Senate in coming up with agreement on the membership and on the charge. Senator Morgan suggested that the AAUP be involved. Provost Grasso said that he would like to work with the Senate on it and it was not a union matter. The majority of the senators are union members and the union would be represented via the senators.

Senator Morrison asked as to when one could expect to get a report from the commission. He thought that the timeline should be no later than February for the commission to make a report for the Senate. Senator Courtright said that one cannot hamstring the commission with a deadline until the charge is known.