

Minutes\*

**Faculty Consultative Committee**  
**Thursday, November 16, 2006**  
**1:15 – 3:00**  
**238A Morrill Hall**

Present: Carol Chomsky, (chair), Gary Balas, Nancy Carpenter, William Durfee, Barbara Elliott, Emily Hoover, Mary Jo Kane, Kathleen Krichbaum, Scott Lanyon, Judith Martin, Richard McCormick, Nelson Rhodus, Steven Ruggles, Geoffrey Sirc, John Sullivan

Absent: Jean Bauer, Megan Gunnar, Martin Sampson, Jennifer Windsor

Guests: Professor Tom Clayton (Chair, Academic Freedom and Tenure Committee), Vice Provost Arlene Carney; Provost E Thomas Sullivan

Other: Kathryn Stuckert (Office of the Chief of Staff); Assistant Vice President Sharon Reich Paulsen (Office of the Provost)

[In these minutes: (1) committee business; (2) tenure code Sections 7.11, 7.12, 9.2]

**1. Committee Business**

Professor Chomsky convened the meeting at 1:20. The Committee dealt first with the organization of the upcoming discussion of the tenure code. It also approved unanimously the Faculty Senate docket as presented [although subsequently changed it after the extended tenure code discussion.]

**2. Tenure Code Sections 7.11, 7.12, and 9.2**

[NOTE: This discussion PRECEDED the discussion recorded in the 11/20/06 Academic Freedom and Tenure Committee minutes, distributed previously.]

Professor Chomsky welcomed Professor Clayton (Chair of the Faculty Senate Committee on Academic Freedom and Tenure, hereinafter AF&T) and Vice Provost Carney to the meeting to discuss proposed revision to Section 7.11 and a new Section 9.2 of the tenure code.

Professor Clayton said he welcomed any comments on the drafts currently before the Committee. He said the document has been the object of a great deal of work by an extraordinarily good committee and the language has evolved as committee members have brought various views to the table. There has been a great deal of back and forth on the language; it has been a very active process. Professor Chomsky noted that this Committee would not be changing any of the words in the draft from the Academic Freedom and Tenure Committee, but that AF&T might wish to make some changes as a result of this discussion when it met the next day.

Committee members raised a number of issues in the ensuing 75-minute discussion.

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-- Should 7.11 require a qualitative evaluation? In some units, there may be a count of articles in refereed journals where the candidate is first or sole author. There is no mention of quantitative measures. Professor Clayton said they affirmatively decided on qualitative—which surely all units must use—in order to bar the use of solely quantitative measures of a candidate, but the language does not bar use of quantitative measures. The quantitative requirements of a candidate should appear in the department's 7.12 statement.

-- One worries about lawsuits if there is no mention of quantitative measures. Vice Provost Carney surmised there might be more lawsuits if the tenure code specifies both qualitative and quantitative measures. The call for qualitative reviews came from the Faculty Culture Task Force. She also reiterated Professor Clayton's point: the word qualitative should not be eliminated in order to prevent strictly quantitative assessments of tenure candidates. Professor Chomsky agreed that "qualitative" could include quantitative measures.

-- Perhaps "qualitative" and "quantitative" can be in a footnote.

-- There is nothing in the proposed Section 9.2, setting forth the criteria for promotion to professor, about the candidate's ability to secure external funding; in many areas, that would be a large gap in the candidate's vita. Vice Provost Carney observed that the tenure code covers every discipline and campus and that obtaining external funding is not a metric for achievement in many fields. Professor McCormick suggested that such an expectation should appear in a 7.12 statement. [Note: there is no term "full professor" in the tenure code or other University document; the term "professor" in these minutes and in the code describes someone who has been promoted from associate professor to professor.]

-- Can a 7.12 statement go beyond the requirements of Section 7.11? What is the relationship between Section 7.11 and the 7.12 departmental statement? These queries generated a long discussion that recurred even as other points of Sections 7.11 and 9.2 were being considered. Vice Provost Carney said that 7.12 statements could go beyond 7.11 because 7.11 is the minimum standard, to be applied across the University. This revision of the 7.11 is more explicit and clearer than the current 7.11. The consensus view was that the 7.12 elucidates the standards a department will use in applying the 7.11 criteria, that 7.12 is the "operational definition" of 7.11, and that 7.11 sets thresholds which 7.12 may exceed. The 7.12 standards, however, may not contradict the criteria established in 7.11.

In some cases, when a tenure file is prepared, it will include the 7.12 statement but the 7.11 language is not considered. Is that correct? Professor Clayton said the 7.11 statement should be included. Professor Chomsky said that the language before the Committee provides that the 7.12 should explain the application of 7.11; the language may need to be changed if departments may go beyond the 7.11 criteria.

If a department sends a request for evaluation to outsiders, does it send just the 7.12 statement or also the 7.11? Does the Provost look at both 7.11 and 7.12 in evaluating candidates? This should be explicit. Does the 7.12 statement stand as an independent document or must 7.11 also be considered? Dr. Carney said the best practice is for the 7.12 statement to include the text and footnotes of both 7.11 and 9.2.

When the new 7.11 is adopted, must all departmental 7.12 statements comply with it? They must, Dr. Carney said. What "comply" means is not clear, however, Professor Chomsky said, and repeated the

point that 7.12 must make it clear if the departmental statements can go beyond the criteria established in 7.11. [There was agreement later that the phrase should be "consistent with," not "comply with."]

-- Why does a candidate need to have the foundation for a national OR an international reputation? Because in some fields one can have an international reputation and not be known very well nationally, and vice-versa. It is not necessarily true that because one has an international reputation, one will automatically also have a national reputation.

-- It took one department several readings to figure out what "the awarding of indefinite tenure presupposes that the candidate's record shows strong promise of achieving promotion in rank within the University" means. It means one will eventually be promoted to professor. Why not just say that?

-- Did the AF&T Committee look at the goals of the Faculty Culture Task Force, which is the genesis for this work of revising the tenure code, and measure the draft revisions to the code against the goals of the task force? Professor Clayton said that AF&T worked with the draft provided by the task force and has both captured its intentions as well as advanced beyond them. This draft is consonant with the task force recommendations.

-- Why does Section 9.2 highlight an expectation of greater institutional service? Professor Clayton said AF&T believed it reasonable to call for a greater expectation, given the language of Section 7.11 calling for only modest service expectations for probationary faculty. Professor Balas concluded from this, and Professor Clayton concurred, that while more-or-less equal discipline-related service is expected from all faculty, there is an increased expectation for institutional service after one is granted tenure and promoted.

-- The language of 9.2 provides that if one is tenured, one must establish a national or international reputation (or both), the foundation for which was presumably established during the probationary period. There could be several consequences for failing to achieve that national or international reputation, such as not being promoted to professor. This language creates the expectation that each faculty member will achieve a national or international reputation. Right now that expectation is only in the regulations, not the code, Dr. Carney pointed out. This is a positive way of saying that one cannot rest on his or her laurels, Professor Clayton commented.

-- This requirement could be problematic for Morris and Crookston faculty. Professor Clayton noted that there is an escape clause in the language, which provides that each campus determines the definition and relative weight of the factors that enter the tenure decision. Dr. Carney said that right now there is no language which permits campus variations; the proposed language is more reasonable. The standard articulated in section 9.2 (the requirement of having a "national or international reputation") is also the only standard that has existed for promotion, Professor Chomsky said, and if there are other ways to articulate what one needs to advance to professor, she thought the AF&T committee would welcome suggestions. The national and international reputation is used as a baseline. Professor Clayton said the Professor Anderson from Morris, who has been a stalwart member of AF&T and a good advocate for her campus, helped AF&T understand why the language was necessary and she believed it would allow Morris the latitude it needs. Each college must make an interpretation, Professor Rhodus said; national reputation could be an invited lecture or a paper presented at a meeting or something else; one must someone be prominent among one's peers—and this is important. Professor Clayton agreed that the reputation could rest on anything from a Nobel Prize to giving a paper.

-- The sentence providing that individuals are granted tenure with the expectation they will be promoted to professor could be a problem if someone is not promoted; could they be subject to post-tenure review because they have not done what they were promoted for? This is about judging at the time of the tenure decision, Professor Chomsky said; the decision-makers believe the individual has the qualities and the trajectory to achieve promotion to professor in the future. What happens after the tenure decisions depends on performance and annual reviews, but a failure to achieve promotion to professor would not lead to a loss of tenure. Other parts of the code and other documents will speak to this issue, she said. Professor Kane said this is important language in the code: it creates a cultural expectation that if one is promoted and achieves tenure, that is great—but if, after that, one is teaching a lot, providing service, and freeing others in the department to do their work, performance will not be seen as highly meritorious. This creates an expectation that the trajectory will continue, and if it does not, there will be consequences in annual reviews. If one is a good citizen but does not produce scholarship, there will be consequences. Professor Clayton agreed with Professor Chomsky: this language speaks to the evaluation of a candidate at a particular time.

-- Where does outreach fall? Service? Teaching? It can be all, Dr. Carney said. It gets shifted around a lot, Professor Lanyon said; some units say it is a piece of service, some say it is a piece of teaching. Did AF&T discuss it? They did a lot, Professor Clayton said. Professor Doherty has been a strong advocate on the point that in some cases, teaching, scholarship, and service are intertwined and cannot be separated. The current language was acceptable to him. Mostly one hears the term outreach used to describe activities that fall outside teaching, research, and service to the University or discipline—it is engagement with the public, Professor Lanyon said. Two Committee members said that in their units, there is explicit understanding that public engagement can be teaching or research or outreach. There needs to be clarity about the terms. Professor Martin said the term "outreach" has been around for a long time but does not really describe what most faculty do; outreach implies the University reaches out and gives something but that it is not an engaged relationship. Professor Ruggles suggested that the term "outreach" has largely been replaced by the term "public engagement."

-- It was agreed that at the Faculty Senate discussion on November 30, Committee members would mostly listen and not respond, unless a direct question were asked. It would be helpful if senators identified problems with ambiguity or lack of clarity, Professor Kane said. Comments will be limited to three minutes, and to two minutes if there are many who wish to speak; as many people as possible must have the opportunity to comment. Professor Chomsky said she would frame the discussion, so senators know that the recommendations for changes came from the Faculty Culture Task Force.

Professor Clayton said he would bring to AF&T, at its meeting the next day, the points raised in the discussion here. Any changes adopted at AF&T will be circulated to this Committee before distribution to the faculty and placement on the Faculty Senate docket. Professor Chomsky thanked Professor Clayton and the AF&T members for their hard work.

At this point Provost Sullivan came to the table. He responded to a question from Professor Hoover about the timeline by noting that he had answered that question at the last meeting. As for the discussion of 7.11 and 7.12 (to which he had been listening for some time), he said he had heard nothing that was internally inconsistent. He agreed with the proposition that the 7.12 statement can set the bar higher than the 7.11 criteria. He affirmed that if the question should arise at the Faculty Senate meeting, it should be said that 7.11 sets the threshold, that 7.12 is intended to be the implementing document, and

that 7.12 cannot be materially or internally inconsistent with 7.11. The Provost said that departments should look at both 7.11 and 7.12 when reviewing files and that his office, when reviewing the 7.12 statements, will try to ensure that they are aligned and reconciled with Section 7.11 to avoid conflicts.

What happens when a probationary faculty member starts in a department but his or her interests drift in another direction, a direction that the department sees as outside its province? Provost Sullivan said that situation should be dealt with in the annual reviews before the tenure decision. There needs to be a meeting of the minds between the candidate and department.

Apropos the need to inform the Faculty Senate on why these proposals are before them, Provost Sullivan noted that there is a rich history that predates this discussion. The Faculty Culture Task Force had a number of public hearings and extended discussions about these issues. Professor Balas responded that the task force had not been looking specifically at tenure; this is something different—and the tenure code has a history. Dr. Carney said the tenure code was a significant part of the task force discussions and there were a large number of faculty involved in them. Professor Chomsky agreed that the task force had consulted widely but pointed out that there is a difference between a general discussion about tenure and the need to focus specifically on the language in the code.

Professor Chomsky thanked Dr. Carney and Provost Sullivan for joining the meeting. They and the Committee agreed that the Faculty Senate discussion of undergraduate student learning outcomes for the Twin Cities campus should be postponed, given the amount of time that would probably be required for the tenure code discussion.

Professor Chomsky adjourned the meeting at 2:55.

-- Gary Engstrand

University of Minnesota