

Minutes*

Faculty Consultative Committee
Thursday, February 1, 2007
1:15 – 3:00
238A Morrill Hall

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

Absent: Martin Sampson, Geoffrey Sirc

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

Other: Kathryn Stuckert (Office of the Chief of Staff)

[In these minutes: (1) academic support and performance for student-athletes task force report and related athletic issues; (2) mid-career faculty development/orientation; (3) tenure code changes]

1. Academic Support and Performance for Student-Athletes Task Force Report and Other Athletic Issues

Professor Chomsky convened the meeting at 1:25 and began by recalling she had sent Committee members a message suggesting there was need to discuss the task force report that was presented at the meeting on January 18. There have also been concerns about the increased cost of the new football stadium and the coach buy-outs. One question that has been raised is "where is the faculty voice?" It was agreed the discussion would be off the record, but several points are to be noted.

-- The faculty share the concerns that have been expressed in various quarters. The reason there is no "faculty outrage" is because appropriate steps are being taken and because a number of the changes being recommended will be controlled by the faculty.

-- Senate committees have looked at the questions and have been assured that the academic budget of the University will be protected. The faculty have also been assured that academics will come first and will not be negatively affected by the events in athletics.

-- The task force was driven by, and controlled by, the faculty and the Provost, not the athletic department. The report is seen as a model for reform and raises issues about the entire Twin Cities campus, not just athletics; the report will also be provided to the NCAA and the Big Ten.

-- The Provost is on record that he will implement the recommendations, and has put people in charge of doing so.

* These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions, or actions reported in these minutes represents the views of, nor are they binding on, the Senate, the Administration, or the Board of Regents.

-- On the specific recommendation about increasing access for student-athletes to programs of interest to them, that is in the hands of the faculty. The more general problem unrelated to athletics, which the Committee on Educational Policy has discussed in the past, is that one can be a student at the University with a 2.0 grade point average but many programs have higher standards for internal, "second-tier" admissions, so students who are in good academic standing are nonetheless unable to get into some programs. There is a tension between (1) the interests of students (and, presumably, an increased graduation rate if more students get into programs of interest to them), and (2) program size and quality control. This is about access for many students, not just athletes, and the issue affects a large number of programs.

It was agreed that Professor Chomsky would respond on behalf of the Committee to inquiries about the faculty view on the issues.

2. Mid-Career Faculty Orientation/Development

Professor Chomsky welcomed Vice Provost Carney to the meeting. She recalled that earlier in the year the Committee had talked about reaching out to mid-career faculty (in particular those who have just received tenure) about involvement in governance. Some of the points are now addressed in the new faculty orientation, and Vice Provost Carney has now begun having sessions for mid-career faculty (primarily associate professors).

Dr. Carney reported that her office has increased significantly the number of workshops and orientation sessions for faculty, but the great unknown was the associate professors. With changes in the tenure code, and the proposed new section 9.2 on promotion to (full) professor, it seemed timely to reach out to them, because the issues they face are very different from those facing assistant professors. She decided to offer a workshop in December and invited 635 of the 841 associate professors (except those on the Duluth campus, who are covered by a collective bargaining agreement); the response was sufficiently large that she had to offer three sessions, not one (80 faculty attended during final exam week). She said she was not sure what the audience wanted; she focused on the tenure code changes and what it takes to be promoted to professor.

Dr. Carney distributed copies of the PowerPoint slides she used with the associate professors and highlighted some of the points she made with them.

-- One can remain an associate professor without being subject to post-tenure review; there is need for a higher level of performance to be promoted to professor. An associate professor does, however, need to continue to meet the minimum standards for tenure in his/her unit. If someone falls below that standard—whether as associate professor or professor—then he or she can be subject to post-tenure review.

-- As of fall, 2005, 38% of associate professors (Twin Cities) have been at that rank for 8 or more years. Of the professors (Twin Cities) who have spent their careers at the University, the average time as associate professor was 7.9 years.

-- There are few data on midlife faculty. One higher education scholar (Roger Baldwin at Michigan State University) has classified the stages of faculty life as probationary (< 39 years old), early midlife (40-49), late midlife (50-59), and late faculty life (60 and older). Late-midlife and late faculty spend more time on

teaching and administration; early-midlife faculty have the highest percentage of publications and presentations (late-midlife faculty are next). More early-midlife faculty have higher rates of dissatisfaction than other groups; it is a time of reassessment and redirection, and some report research productivity declines.

-- One of the major criteria for professor is a national and/or international reputation; the nature of that requirement varies by campus and by unit. Dr. Carney related that there was an interesting discussion with the associate professors about how one knows when he or she is nationally recognized, a recognized expert, and how one gets to be an expert. One of the things that the Provost's office will look for in 7.12 statements is whether they are communicating to associate professors what they must do to become a professor.

The attendees at the sessions were surveyed afterward. 53% were men; 59% were Twin Cities faculty; most had been in rank six years or less; 54% said it was very important to be promoted to professor. Several Committee members expressed surprise that only slightly more than half indicated promotion is very important (Dr. Carney explained that another group rated it as important). Professor Kane said that the groups at these sessions were likely skewed: they were interested enough to attend, and even a large number of these were not sure about the desirability of promotion.

Dr. Carney said there was a protracted discussion with some of the associate professors about why it is not always important to be promoted to professor. There is, some argued, little financial incentive and there are barriers (department politics, the promotion to associate professor was "brutal" and they would not elect to go through the process again—the latter was the view of a minority, however). Professor Gunnar said it is necessary to understand why so many appear not to see the value of being promoted. Professor Kane commented that the assumption is that if one achieves tenure, one will ultimately be promoted to professor, but what if one does not want to? One part of the goal of being in the top three is that there not be a lot of career associate professors, but a large percentage in Dr. Carney's group.

Dr. Carney agreed; she said it is in essence on an expedition to obtain data on what the faculty are thinking, and she intends to survey all associate professors. There will also be three more sessions because there was a waiting list. Some associate professors want a hands-on session (how to prepare a dossier); others want more conceptual thinking.

Professor Windsor suggested that the age of associate professors, some of whom are older and see that they have a limited number of years of service remaining, may be content to remain in rank. This is also a gender issue, Professor Krichbaum added. Dr. Carney pointed out that the average age of probationary faculty is 39 (the average age at receipt of the Ph.D. is 33). The average age of Twin Cities faculty is 51. These numbers are comparable to national statistics.

In their meetings with Faculty Senators, Professor Chomsky said, they heard strong statements that not everyone wants to be promoted to professor. Some individuals want to do things not valued for promotion. The Women's Faculty Cabinet is having a lunch, the topic of which will be what it means to women faculty to be in the top three. There is bimodal distribution in attitudes on being promoted, Dr. Carney said; some see it as a central question while others don't care. Professor Sullivan asked if the bimodal distribution is because some are high-powered colleges/departments and some are not, or are there both types in each department. Dr. Carney said she did not have data, but informally she said it

appears that both types can be in one department. Professor Gunnar suggested it might be possible to get a sense for departments by counting the number of associate professors in each department who have been in rank for more than 8 years. It could be that in some departments, with a lot of undergraduate teaching, they want a lot of associate professors. There can also be barriers such as family, workload, lack of staff support, the need for mentors, and less politics in order that people can focus more on their research.

Whatever changes to the tenure code might be adopted, the earliest they would take effect will be fall, 2007, Professor McCormick commented, and will have no effect on culture issues. The stages of faculty life vary by discipline, he said. Moreover, there are differences in department culture; some say it is acceptable not to be promoted. There are also department politics and gender issues.

Professor Hoover said she thought the workshops were a great idea, but she cautioned, based on her experience from promotion and tenure committees and reviewing dossiers, that Dr. Carney needs to be careful about what advice she gives. Units look at different things. Dr. Carney said she has made that clear. Her only point is what one must do to become an expert, and that is discipline-specific.

Professor Chomsky thanked Dr. Carney for her presentation and said the Committee would return to the issue of encouraging associate professors to consider fulfilling their institutional service obligations.

3. Tenure Code Changes

Professor Chomsky now welcomed Regents' Professor Tom Clayton, Chair of the Academic Freedom and Tenure Committee (hereinafter AF&T). She noted that Committee members had before them a draft docket for the February 15 Faculty Senate meeting, most of which was taken up by proposed changes to the tenure code, for discussion.

Professor Clayton began by reading prepared remarks to the Committee (which, he said, would take about two minutes to read but five or more minutes to explain if he did not read them).

"I have a few concerns of my own about what AF&T is doing that I haven't aired yet with the committee but I shall air one concern at AF&T tomorrow and FCC today, and that is flexibility. Our charge as we have been discharging it is spelling out the specifics of professional activity and advancement as fully and accurately as possible, leaving nothing to chance or open to doubt. We continue to add details as they are suggested, most recently diversity. But no code can cover all contingencies, even with a queue of the vigilant to keep fetching in details, and one of the limitations of tight and tidy packaging is that it has no explicit room for the extraordinary. But the extraordinary is exactly what we should want and be looking for, and it doesn't always come conventionally well-behaved in traversing the signposted paths in the usual ways only faster and with greater production. Everyone knows persons like this, and sometimes, when we're lucky, we get them and keep them: here, the late Rutherford Aris was just such a find for Chemical Engineering and contributed signalily to making that department for a time if not for all time the best in the world. He also contributed much to the University at large and to the Center for Ancient Studies, the Department of Classical and Near Eastern Studies, and the Classical Civilization Program. He wasn't hired for all that (and much else), and the extras of his contribution to the University might not even have been appreciated in many quarters other than those receiving the immediate benefit,

but it is just such breadth, depth, and the unexpected that differentiate a really first-rate university from super-success in the predefined and ordinary ways.

"Perhaps we don't need explicit provisions for the extraordinary in the tenure code, but I for one would be a lot more comfortable if they were there, because the identification, care, and feeding of unconventional genius is what a university that would be great should be looking for for sure, if not above all. It is rare enough that there must be rules for the rest of us, but there should be more than those, in my view."

Professor Clayton then quickly reviewed the changes to Sections 5.5, 7a, 7.11, 7.12, and 9.2 recommended by AF&T since they were last seen by this Committee.

5.5 (stopping the tenure clock): the reference to retaliation has been eliminated and will be incorporated in the Procedures.

7a (post-tenure review): AF&T discussed it at length and then decided to wait until 07-08 to examine, at which point it will have available the department 7.12 statements for consideration.

7.11 (general criteria for granting tenure): AF&T added "attention to questions of diversity" to the list of other kinds of activities that are to be considered in evaluating a candidate for tenure; it was important to get the term into the code in some intelligible way.

7.12, 9.2: AF&T has made no additional changes.

Professor Clayton asked if Committee members had any problems with the proposed language.

Professor Lanyon asked Professor Clayton if his concern about 7.11 and other tenure code sections is that they are too inflexible to prevent recognition of unusual or outstanding talent, or that the 7.12 statements would prevent such recognition. Both, Professor Clayton said, and he believes it important that the University take notice of exceptional talent in section 7.11 of the code. AF&T has not discussed this idea but it will do so tomorrow.

Professor Durfee and others raised a question about the lack of indices for promotion to (full) professor; the proposed section 9.2 of the code, dealing with promotion to professor, is required to be an appendix to the department 7.12 statement (which sets out the criteria and indices/standards for granting tenure). Professor Chomsky also noted that there is no requirement for a "9.2 statement" parallel to the requirement in section 7.12. Professor McCormick reported that CLA requires 9.2 standards. Professor Durfee said it has been made clear that the Provost will not approve any 7.12 statement that does not contain standards for promotion to professor and for post-tenure review. That is commendable, but if a department simply followed the language of section 7.12, they would not know to include standards for promotion to professor and for post-tenure review. Professor Clayton said that if the indices for promotion to professor can be included in the code without any threat to academic freedom, he believed that AF&T would accommodate a request to do so.

Professor Kane raised a new question, about the last sentence in the draft section 9.2: "But the primary emphasis must be on demonstrated scholarly or other creative achievement and on teaching effectiveness, and service alone cannot qualify the candidate for promotion." Did AF&T consider a version that would say that teaching effectiveness and service are not sufficient for promotion to

professor? The current version says that a candidate must have both demonstrated scholarship and demonstrated teaching effectiveness. If the University wants to be among the top 3, promotion to professor needs to be based on scholarship; being a great teacher or providing great service will not alone get the University to that goal without great scholarship. Her question, Professor Kane said, is about the role of teaching. It was explained that "teaching" encompasses advising and mentoring students, as well as classroom performance. Professor Kane noted that that was an important and essential clarification.

Professor Lanyon said that he read the language as saying that either teaching alone or scholarship alone provides grounds for promotion; Professor McCormick responded that that is not what "and" means. The intent of the language is to raise the bar on teaching as well, he added. Professor Ruggles agreed; the language says that neither alone is sufficient. Professor Balas said that in his department, a successful scholar who cannot teach will not get promoted. Professor Clayton affirmed that the intent of AF&T was that one must be a good teacher as well as a good scholar to be promoted to professor—and it is a value judgment that both are important and should be required.

Professor Kane asked if a department would deny promotion to professor to someone who brings in millions of dollars in external grant funding but who is only a mediocre teacher in the classroom. She agreed that advising graduate students and other activities are teaching, but her question was about classroom instruction.

The basis for section 9.2 is section 7.11, Professor Chomsky noted, and the intent is not to drop things from 7.11 but rather to push up the bar. At present, however, there is no requirement for a departmental 9.2 statement, Professor Windsor pointed out, so while departments may exceed the 7.11 standards, there is no way for them to do so with 9.2 because no 9.2 statement is required. Professor Durfee suggested including a requirement for such a statement in 7.12, so that departments would be required to articulate indices and standards for promotion to professor as well as standards for granting tenure and promoting to associate professor. Professor Krichbaum noted that the language also does not define "teaching effectiveness"; the consensus view was that that determination is to be made by departments.

Professor Chomsky asked that AF&T consider revising 7.11 or 9.2, in light of this discussion, for the draft that will be considered by the Faculty Senate on February 15.

She then asked what AF&T is doing about the Procedures for Reviewing the Performances of Tenure-Track Probationary Faculty. Professor Clayton said that AF&T is working on revising them and will likely be able to get done in a month or so. Will the approval process remain only AF&T and the Provost? Professor Clayton said his committee has not discussed that issue yet, but he personally would at least like FCC to approve the Procedures as well. They can be brought to the Faculty Senate for information, Professor Chomsky suggested.

Professor Chomsky said she had been startled to read, in the AF&T minutes, about minimum standards for the maintenance of tenure and the implication that tenure could be revoked as a result of annual reviews that become reviews on whether to keep tenure. That would be a very significant change. It is not the desire of AF&T to liquidate tenure, Professor Clayton assured the Committee, and said he welcomed any suggestions where the language being developed was loose.

Professor Sullivan noted that there are five activities given preference in section 7.11 (**7.11**).
General Criteria. . . . Interdisciplinary work, public engagement, international activities and initiatives, attention to questions of diversity, and technology transfer will be taken into consideration in evaluating the candidate's satisfaction of criteria. . . ."). Presumably in the past some candidates have done well at one or more of these activities but the department did not recognize them as sufficiently meritorious so voted against granting tenure. Is it possible NOT to give tenure to someone who has done none of these but who is an outstanding scholar? Is there ever a chance that would happen?

Professor Clayton said he hoped not and that that was not the intent of the Academic Freedom and Tenure Committee. They considered including "if applicable" but decided not to do so. He said the response to Professor Sullivan's concern could be spelled out in the Procedures. Professor Sullivan said he read the language as saying a probationary faculty member must do one or more of those things; "can" or "may" would be better. Professor Chomsky pointed out that if the tenure code says "may," a department may decline to recognize the work, and the items on the list in section 7.11 do reflect what the administration sees as important. Professor Sullivan suggested something along this line: "if you do these things, they will be taken into account; if not, that will not be held against you." The list is a bad idea, he said, but he conceded it will be included in the code; he said he does not care for it and what the administration wants will be different in five years. Professor Clayton agreed and said that is why the code needs to be flexible. Either the language needs to be clearer or the list should be put in a footnote.

Professor Hoover said the list seems to be getting longer and is becoming a laundry list; perhaps it should be shorter. Professor Clayton said he would welcome suggestions for shortening it; the question is which elements should be removed. Professor Lanyon suggested that interdisciplinary work is in a different category from the remainder of the items on the list.

Why not "may," Professor Windsor inquired? The concern, Professor Ruggles said, is that there could be a department with senior faculty trying to prevent change or who may be prejudiced against faculty members who are engaging in these activities. Professor McCormick noted, for example, that public engagement is a significant part of some disciplines while not central to others. Professor Chomsky repeated that the items on the list come from declared University-wide purposes. With a new president there will be new initiatives, Professor Sullivan replied.

Professor Durfee commended Professor Clayton and the members of the Academic Freedom and Tenure Committee for the work they have done thus far. Committee members responded with a round of applause. Professor Chomsky adjourned the meeting at 3:15.

-- Gary Engstrand

University of Minnesota