

Minutes\*

**Academic Freedom and Tenure Committee**  
**Friday, October 20, 2006**  
**9:30 – 11:00**  
**300 Morrill Hall**

Present: Tom Clayton (chair), Tracey Anderson, Arlene Carney, Candace Kruttschnitt, Karen Miksch, John Mowitt, Terry Simon

Absent: Carol Carrier, William Doherty, James Farr, Tina Huang, Jianyi Zhang

Guests: none

[In these minutes: (1) tenure code section 7.11: technology transfer; (2) tenure code section 7.11: institutional service and other matters; (3) tenure code section 5.5: stopping the tenure clock; (4) tenure code section 9.2: standards for promotion from associate to full professor]

**1. Section 7.11 of the Tenure Code: Technology Transfer**

Professor Clayton convened the meeting at 9:30 and reported that the Committee had to deal with two issues related to Section 7.11: technology transfer and University service. He asked his colleagues to deal first with the former.

Vice President Mulcahy had been asked if the language of footnote 5 was acceptable in terms of allowing credit for technology transfer activities. ("Scholarly Research" must include significant publications. These may be supplemented by the development of new technology or scientific procedures, and other activities that lead to the public availability of innovative products, practices, and ideas that have significance and value to society.) Dr. Mulcahy expressed a preference for having the language in the text of Section 7.11 rather than the footnote.

Professor Mowitt asked what technology transfer meant. Professor Simon said it could be patents, it could be industry use of something in a paper, starting a company, etc. Professor Anderson wondered if it largely means patents.

The Committee concluded that Dr. Mulcahy may not have realized that the explication of several terms (especially teaching, research, and service) in the text of Section 7.11 occurs in footnotes and this is the research footnote. Committee members also noted that the footnote says "may" and does not require any department or faculty member to engage in such activities, or even to recognize such activities if they do occur, that the Section 7.12 statements required of departments should make clear what they expect and what faculty activities they will recognize, and that this in general is not a document (the tenure code) where people skip the footnotes.

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\* 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.

## **2. Section 7.11 of the Tenure Code: University Service & Other Matters**

The Committee spent about an hour discussing the expression of views from the Senate Committee on Faculty Affairs (SCFA), the Faculty Consultative Committee, and department chairs (through meetings with members of the Faculty Consultative Committee) that service to department, college, and University should be given recognition in the "service" portion of the work that faculty members are expected to perform.

The pertinent language of the most-recent draft proposal read as follows:

### **7.11 General Criteria.**

What the University of Minnesota seeks . . . All faculty members, tenured or not, are expected to fulfill the citizenship obligations of the academic community, which includes service to the department, the college, and the University; but academic units should have only modest citizenship expectations for probationary faculty.

. . .

(fn 7) "Discipline-based service" refers to outreach to or engagement with the local, state, national, or international community based on the candidate's academic expertise. It does not ordinarily include administrative service to one's department or college, or the University. Service standing alone without a distinguished record of research and teaching is an insufficient basis to award tenure.

Vice Provost Carney reported that she had tried to make clear, at the SCFA meeting, that the language of the 7.11 draft, about the expectation that all faculty will provide service to the institution, is much stronger than anything in the current tenure code. The difficulty that SCFA members (and others) had, Dr. Engstrand recalled, is that the language in the text of Section 7.11 and the language of footnote 7 seem to be contradictory: all faculty are expected to engage in service activities but it cannot be counted.

Committee members discussed a number of points and reached agreement on how Section 7.11 should be rewritten. Several significant points of discussion were these:

-- There was agreement that the text of Section 7.11 should refer simply to "service," rather than "discipline-based service," and that the corresponding footnote should recognize two kinds of service: "discipline-based service," as defined in existing draft language, and "institutional" service to the department, college, and University. The footnote should make it clear that all faculty are expected to engage in both kinds of service but that, as is true in the existing draft text, the institutional-service expectations of probationary faculty should be modest.

-- There was agreement that the language dealing with service should not make it appear that a probationary faculty member could choose either discipline-based or institutional service, because discipline-based service is important to developing a national or international reputation.

-- Junior faculty need to know if they are expected to serve on committees and so on, and that if they refuse to do so, that refusal will be counted against them. One question junior faculty ask, Dr.

Carney said, is what to do if they have to choose between a discipline-based service activity and service to the department or college. Some departments BAR department service for probationary faculty, Professor Mowitt observed. Professor Kruttschnitt was sympathetic to the argument that if there is no service expectation of faculty before they achieve tenure, it is more difficult to expect those faculty to develop academic leadership, but at the same time they cannot be asked to perform very much such service or they will not achieve the reputation they need in order to be granted tenure. Some units do a good job of protecting junior faculty from heavy service obligations while others do not, Professor Anderson observed. Units must be responsible about guarding junior faculty if they want to see those individuals get through the tenure process.

-- It was agreed that the term "citizenship" was ambiguous—it sounds like voting—and should be removed.

-- Dr. Carney said she would like to see, in department 7.12 statements, acknowledgment that junior faculty will not be given major service assignments in a department, such as director of undergraduate studies, director of graduate studies, associate chair, and so on. Professor Clayton said that in small departments, such assignments may be unavoidable (e.g., if faculty are on leave); it is sometimes best to give the task to an energetic person who is willing to do it. Dr. Carney cautioned that if those individuals do not achieve tenure, however, there are problems, because the service demands on them may prevent them from accumulating the scholarly record they need to achieve tenure.

-- The reason that the explicit references to public engagement, interdisciplinary work, and international activities are included in the revised 7.11, Dr. Carney explained, is to send a signal to departments that their 7.12 statements must address them. Can a department put those activities in its 7.12 statement as the entire emphasis of the department, Professor Kruttschnitt asked? Theoretically they could, Dr. Carney said, if they all encompass teaching and research. If the 7.12 statement can include those items now, why add it to 7.11, Professor Kruttschnitt asked? Specifically including these items stresses their importance at the University, Dr. Carney said. But the 7.12 statements could have nothing about any of them, Professor Kruttschnitt asked? They could, Dr. Carney said, although she would contact the department to be sure that they intentionally omitted all reference to them.

Section 7.11 as redrafted by Professor Clayton following the meeting now reads as follows:

### **7.11 General Criteria**

What the University of Minnesota seeks above all in its faculty members is intellectual distinction and academic integrity. The basis for awarding indefinite tenure to the candidates possessing these qualities is the determination that each candidate has established and will continue to add to a distinguished record of academic achievement that is the foundation for a national or international reputation (fn X). This determination is reached through a qualitative evaluation of the candidate's record (fn 4) of scholarly research (fn 5) or artistic work, teaching (fn 6), and service (fn 7). The relative weight of individual criteria may vary in different academic units, but the primary emphasis must be on demonstrated scholarly or artistic achievement and on teaching effectiveness. Contributions (fn Y) to interdisciplinary work, public engagement, and international activities and initiatives are valued by the University and may be taken into consideration in evaluating the candidate's satisfaction of criteria (fn Z). The awarding of

indefinite tenure presupposes that the candidate's record shows strong promise of achieving promotion in rank within the University.

(fn X) "Academic achievement" includes both research and teaching. The definition and relative weight of the factors may vary with the mission of the individual campus.

(fn 4) The persons responsible and the process for making this determination are described in Sections 7.3 through 7.6.

(fn 5) "Scholarly Research" must include significant publications. These may be supplemented by the development of new technology or scientific procedures, and other activities that lead to the public availability of innovative products, practices, and ideas that have significance and value to society.

(fn 6) "Teaching" is not limited to classroom instruction. It includes other forms of communicating knowledge (to both registered University students and persons in the extramural community) as well as supervising, mentoring, or advising graduate or undergraduate students whether individually or in groups.

(fn 7) "Service" takes the form of (1) service to the discipline; (2) discipline-based service, which includes both professional service and outreach to or engagement with the local, state, national, or international community based on one's academic expertise; and (3) institutional service, which includes administrative, committee, or related service to one's department or college, or the University. All faculty members are expected to engage in these service activities, but there should be only modest institutional-service expectations for probationary faculty.

(fn Y) Such contributions involve scholarly research or artistic work, teaching, or discipline-based service.

(fn Z) Specific details on the nature and weight of these contributions in the individual academic unit are given in the statements required by Section 7.12.

The language will be discussed by the Committee again at its next meeting.

### **3. Section 5.5**

Dr. Carney raised a new issue related to Section 5.5 (the "stop the tenure clock" provision), which currently reads as follows:

**5.5 Exception For New Parent Or Caregiver.** The maximum period of probationary service will be extended by one year at the request of a probationary faculty member:

1. On the occasion of the birth of that faculty member's child or adoptive/foster placement of a child with that faculty member; or

2. When the faculty member is a major caregiver for a family member[2] who has an extended serious illness, injury, or debilitating condition. A faculty member may use this provision no more than two times.

The request for extension must be made in writing within three months of the events giving rise to the claim and no later than June 30 preceding the year a final decision would otherwise be made on an appointment with indefinite tenure for that faculty member.

The Committee had already agreed with the suggestion that the time limit for the request for the extension should be extended from three months to one year. (Because, as discussed earlier, it may not be immediately evident to a new parent that he or she needs the year off; it may become apparent to him or her only as the year wears on.) Dr. Carney reported that the Committee on Faculty Affairs had had a discussion about medical-disability coverage and it occurred to her that there was no provision for stopping the tenure clock if it is the probationary faculty member who needs the medical care. She suggested that a provision be added, and that the same one-year limit on requesting the extension be included. (For example, someone would know fairly quickly if he or she would need a year of physical therapy and treatment following a serious auto accident but might not know as soon if there were a diagnosis of clinical depression.)

The Committee agreed with Dr. Carney's suggestion.

#### **4. Section 9.2**

Earlier in the year the Committee had received from the Provost and Dr. Carney a proposal for a new section in the tenure code, Section 9.2, as follows:

##### **Proposed Promotion Statement: Associate to Full Professor Section 9.2 of the Faculty Tenure Code\***

The basis for promotion from the rank of Associate Professor to the rank of Professor is the determination that the individual has a very distinguished record of original scholarly or creative work and has an established national and/or international reputation. Promotion to the rank of Professor requires that continued distinction in scholarship or creative work, effectiveness in teaching, and service contributions to the discipline or to public engagement are in addition to those activities that justified the awarding of tenure and promotion to Associate Professor, or the initial appointment at that rank.

\* Currently Section 9 of the Tenure Code is entitled "Appointment of Associate Professors and Professors with Indefinite Tenure. I am proposing that we have a generic title for Section 9 like that of Section 7 Personnel Decisions Concerning Probationary Faculty. We could call Section 9 Personnel Decisions Concerning Associate and Full Professors. Then 9.1 could be the current title of 9 Appointment of Associate Professors and Professors with Indefinite Tenure and 9.2 could be this statement about promotion from Associate to Full Professor.

Professor Clayton suggested that as the Committee considers a new Section 9.2, setting out more explicitly the criteria to be used when evaluating a candidate for promotion from associate to full

professor, the language of Section 7.11 be repeated or paraphrased in order not to appear to create a different set of standards. The discussion covered a number of points.

-- The first sentence in the revised 7.11 should be used in the new 9.2 as well.

-- The Committee was doubtful about the use of the word "very" in the second line of the draft. The point, Dr. Carney said, is to emphasize that the individual's distinction should have increased beyond what it was when he or she was promoted from assistant to associate professor.

-- The Committee had a lengthy discussion about the relationship between teaching and a national or international reputation. Dr. Carney reported that some 7.12 statements do not mention teaching because it is assumed one had to be a good teacher in order to achieve tenure; the assumption also is that one must become a more distinguished scholar to be promoted to full professor. Does this address the question of the "languishing associate professors," who have been in rank too many years, Professor Anderson asked? Departments should not promote people who are not distinguished faculty, Dr. Carney said, but should help them get to the point where they ARE distinguished: a number of associate professors grow more interested in the scholarship of teaching, for example, but departments do not give them credit for the work when considering someone for promotion. Professor Anderson said that for a campus that specially values undergraduate education, as Morris does, a new Section 9.2 must make reference to that kind of scholarship. Such a statement would be appropriate for the 7.12 statement for the Morris campus, Dr. Carney said. Teaching alone will not lead to tenure nor should it lead to promotion, she added, and teaching tends to be local while scholarship is national or international, but scholarship could be around pedagogy. Just as it could on the Twin Cities campus. Professor Kruttschnitt took exception to the last comment, saying that giving credit for pedagogical scholarship would not get the campus into the top three. Dr. Carney mentioned one faculty member who publishes both in her scholarly field and in journals devoted to teaching in that same field. Both kinds of scholarship create a national reputation and would be considered in evaluation for promotion to full professor. Professor Mowitt suggested that the language did not need to weigh in on what should properly receive attention as scholarship; if a department chooses to recognize a national reputation in research on pedagogy, that would be scholarship for that department.

Professor Clayton said that the tenure code should not try to make the Morris campus the equivalent of the Twin Cities campus nor should it invalidate the mission of the Morris campus. The liberal arts colleges in Minnesota count teaching as much as if not more than research. There is a research requirement for Morris faculty, but the balance between teaching and research may be different from that on the Twin Cities campus. Dr. Carney said that the personnel files from the Morris candidates have scholarship, and the reviewers were appropriate for their fields. She said that if the requirement of a national or international reputation is diluted scholarship is key when the University's peers all require such a reputation, would make it difficult to reach the strategic-positioning goal.

-- There might be a footnote in a new 9.2 that points out that service obligations to the department, college, and University can be expected to increase after a candidate is granted tenure and should be considered in promotion to full professor.

-- It was agreed that footnote X in Section 7.11 should also appear in Section 9.2.

If there is more clarity about what is required to be promoted from associate to full professor, Professor Mowitt observed, that might help people make decisions about their commitments. In the case of Morris, Professor Anderson responded, where service obligations are important, for faculty to turn away from service to scholarship would hurt academic units and Morris as a whole.

The Committee agreed to schedule an extra meeting in November to try to finish work on Section 9.2 in time for the November 30 Faculty Senate meeting. Professor Clayton adjourned the meeting late, at 11:05.

-- Gary Engstrand

University of Minnesota