

Minutes*

Academic Freedom and Tenure Committee
Friday, December 1, 2006
9:30 – 11:00
300 Morrill Hall

Present: Tom Clayton (chair), Yusuf Abul-Hajj, Tracey Anderson, Arlene Carney, William Doherty, James Farr, Karen Miksch, John Mowitt, Terry Simon, Jianyi Zhang

Absent: Carol Carrier, Tina Huang, Candace Kruttschnitt

Guests: none

[In these minutes: Sections 7.11 and 9.2 of the tenure code]

Section 7.11 (and 9.2) of the Tenure Code

Professor Clayton convened the meeting at 9:30 and reviewed the discussion of the tenure code at the Faculty Senate the preceding day. He also noted suggestions that had been received by email since the last meeting. Committee response to the various proposals is noted.

-- He and Professor Chomsky stressed that all the changes to the tenure code as well as changes to the procedures will go forward as a package. The Provost did not express disagreement with this approach. For now, the Committee should finish 7.11, 9.2, and 7.12 as best it can but not consider the results definitive until the review of other elements is also completed. It is unclear that the Committee will be able to finish its work in time to get the entire package ready for the Board of Regents at their March meeting.

-- The Committee discussed at some length the relationship between completion of Section 7.11 and the 7.12 departmental statements required. Vice Provost Carney said the two processes are not linear; departments can develop 7.12 statements without the final 7.11 because much of what needs to be in the 7.12 is not dependent on the precise wording of 7.11. Units should use the latest version of 7.11 that appears in the minutes of this Committee. The major point, however, is that there has been no sentiment to alter the fundamental language calling for demonstrated performance, rather than potential, on the part of candidates for tenure. On the other points in 7.11—service, interdisciplinary work, public engagement, and so on—the Committee has been pretty consistent. The different role of the Morris campus still needs to be addressed.

Professor Clayton concluded that the prudent thing for departments to do may be to write a working draft of a 7.12 statement and then wait until final adoption of tenure code provisions—rather than follow every change that this Committee and others may propose in the code.

-- It was said at the Faculty Senate meeting that the endorsement or inclusion of interdisciplinary work and public engagement was too weak. A related point also made at the Faculty Senate meeting was

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that the department should not be the sole arbiter of whether interdisciplinary work is important or appropriate. Dr. Carney reported that the Provost has said that if a department or college hires someone whose work will be interdisciplinary, there should be a memorandum of understanding about how the individual will be evaluated. It may be that such memoranda would be appropriate for probationary faculty already at the University and for faculty who later in their career wish to move into interdisciplinary work. The point is that there needs to be a mechanism to allow interdisciplinary work; the tenure code does allow it. The memorandum of understanding may not solve all the problems, but it should help address many of them. After considerable discussion about the role of the department, the Committee agreed to change the first part of the pertinent sentence in the draft 7.11:

11/30/06 Faculty Senate version: "Interdisciplinary work, public engagement, international activities and initiatives, and technology transfer will be taken into consideration, when determined to be relevant by the department or equivalent academic unit, in evaluating the candidate's satisfaction of criteria"

12/1/06 Committee change: "Interdisciplinary work, public engagement, international activities and initiatives, and technology transfer will be taken into consideration in evaluating the candidate's satisfaction of criteria." [the clause "when determined to be relevant by the department or equivalent academic unit" is deleted]

-- It was proposed at the Faculty Senate that the "discipline-related service" portion of the footnote describing and defining teaching, research, and service be struck because it infringed academic freedom. Another faculty senator, however, argued strongly that "discipline-related service" should remain. It was noted that discipline-related service has been in the tenure code for a very long time and has never raised an academic freedom question. The Committee disagreed with the proposition that including discipline-related in the code infringed academic freedom.

A related concern at the Faculty Senate, however, was that to label it "discipline-related" service precluded "interdisciplinary" service. There was also a concern about use of the term "outreach" in the footnote; some saw it as negative and others as inappropriate or too restrictive. The Committee agreed to change the "service" definition as follows:

11/30/06 Faculty Senate version: "Service" takes the form of (1) discipline-related service, which includes both service to the profession and outreach to the local, state, national, or international community based on one's academic expertise . . . [remainder not changed]."

12/1/06 Committee change: "Service" takes the form of (1) service based on one's academic expertise both to the profession and to the local, state, national, or international community . . . [remainder not changed]." [service is based on one's academic expertise, not discipline-based; the term outreach is deleted, so service to communities can be however the department or discipline defines it] Professor Clayton agreed to try to rework the definition so that the word "service" was not used its own definition.

-- It was said at the Faculty Senate that there should be an expectation that everyone will get tenure. The Committee concluded otherwise. While the presumption should not be that individuals will NOT gain tenure (as is the case at Harvard and Yale, for example), it should also not be presumed that they will. The University's position is that there are standards to be met; if one meets them, one is granted tenure.

-- It was argued at the Faculty Senate that the challenge of obtaining a national or international reputation may not be appropriate for a campus such as Morris, a liberal-arts college within the University system. It was agreed that Professor Anderson would draft a footnote for the Morris campus, to be added to the existing (fn. X) in Section 9.2.

-- It was suggested at the Faculty Senate meeting that mentoring be included as an expectation of associate professors in the new Section 9.2. The Committee concluded otherwise, largely because there is no definition of what constitutes good mentoring (for every discipline), there are no good standards or indices for mentoring, and the code should not provide an opportunity for someone to claim they did not receive tenure because they did not receive adequate mentoring (given the lack of metrics for mentoring). It was also noted that if a department happens to have many senior faculty and few junior faculty, there may not be opportunities to mentor junior faculty.

-- The Committee received by email a proposal to change "scholarly or other creative work" to "scholarly or creative research" or "scholarly and creative research" and also to add another footnote paragraph describing "creative research." The suggestions came from an individual in one of the performing arts who feared that the draft language did not equate traditional scholarly research with the kinds of activities in which faculty in the visual and performing arts engage. The Committee concluded, after review of the proposal, that the language presented to the Faculty Senate allows departments great freedom in dealing with the visual and performing arts and other creative endeavors, freedom that would be restricted were the proposed language adopted; and that the 7.12 statement is the place for the kinds of specification desired.

-- The Committee took up a suggestion from colleagues in CFANS about the definition of teaching and concurred with the recommendation. The pertinent sentence was changed.

11/30/06 Faculty Senate version: "Teaching" is not limited to classroom instruction. It includes other forms of communicating knowledge (to both registered University students and persons in the extended community) as well as supervising, mentoring, and advising students."

12/1/06 Committee change: "Teaching" is not limited to classroom instruction. It includes extension and outreach education, and other forms of communicating knowledge (to both registered University students and persons in the extended community) as well as supervising, mentoring, and advising students.
["extension and outreach education" added]

-- The Provost said at the Faculty Senate meeting that failure to meet the 9.2 standards for promotion from associate professor to professor would not trigger post-tenure review (Section 7a of the tenure code, "**Review Of Faculty Performance**"). Section 9.2 addresses how to get promoted from associate professor to professor and says nothing about post-tenure review. Dr. Carney related that during the interviews conducted by the faculty culture task force, there were a remarkable number of associate professors who indicated they did not care if they were ever promoted to professor. That is not desirable. It was said, however, that there is a concern that if one puts forward a file for promotion to professor, but does not make it, one will then be subject to post-tenure review—or that if one chooses to remain an associate professor, doing adequate work in research and teaching, serving as a valuable colleague, one will also be subject to post-tenure review for not being promoted.

Dr. Carney said those concerns were unfounded. She described Sections 7.11, 9.2, and 7a as coming together in the departmental 7.12 statement in three ways: the 7.12 is to describe (1) earning tenure and promotion from assistant to associate professor [section 7.11], (2) earning promotion from associate professor to professor [section 9.2], and (3) the standards to be met to retain tenure [section 7a]. While the 7.12 statement is to include the departmental standards for invoking post-tenure review, those are unrelated to promotional decisions; the question with post-tenure review is whether an individual has fallen below the standards required to retain tenure, not whether the individual has achieved the standard necessary for promotion to professor.

The Committee agreed that Dr. Carney should draft a footnote to Section 9.2 clarifying that 9.2 and 7a are distinct and unrelated sections of the tenure code.

The Committee agreed that it would meet again next week and tentatively planned to meet quite frequently during the first part of spring semester. Professor Clayton thereupon adjourned the meeting at 11:00.

-- Gary Engstrand

University of Minnesota