

Minutes\*

**Academic Freedom and Tenure Committee**  
**Friday, February 23, 2007**  
**9:30 – 11:00**  
**300 Morrill Hall**

Present: Tom Clayton (chair), Yusuf Abul-Hajj, Arlene Carney, William Doherty, James Farr, Joseph Gaugler, John Mowitt, Terry Simon

Absent: Tracey Anderson, Carol Carrier, Candace Kruttschnitt, Karen Miksch, Paul Porter, Jianyi Zhang

Guests: none

[In these minutes: (1) Judicial Committee: jurisdiction over academic freedom claims; (2) Judicial Committee: emeriti faculty and academic freedom; (3) Judicial Committee: academic freedom and Board of Regents' policy; (4) tenure code section 9.2, promotion to professor; (5) standards used in promotion of assistants to full professor; (6) approval process for the procedures for review of probationary faculty; (7)

**1. Judicial Committee Matters: Jurisdiction Over Academic Freedom Claims**

Professor Clayton convened the meeting at 9:30 and turned to Professor Farr, Chair of the Senate Judicial Committee (SJC). Professor Farr had sent to the Committee earlier in the week a memo outlining the questions he wished to raise.

Professor Farr reported that SJC is seeing a number of complex cases with academic freedom attached to the issues, for example, in promotion and tenure cases, senior faculty not being promoted, and emeriti faculty working at the University. The issues raised led him to examine a number of documents, including the tenure code, and he concluded that there is considerable confusion about academic-freedom matters. They are revising the SJC Rules of Procedures (which this Committee must approve, after which they must also be approved by the Provost), but there is also need to look at the tenure code. Academic freedom shows up as a phrase in the code, but it is not well defined nor much discussed in Faculty Tenure (the formal title of the Regents' policy, informally referred to in these minutes and elsewhere as the tenure code). There is also no direction on which committee or office takes care of academic-freedom claims. If the code is being revised, this is the time to make changes to clarify SJC's business as well.

The Committee considered a series of revisions to the tenure code that would respond to the concerns Professor Farr raised.

Section **16.4** Additional Functions. The ["Academic Freedom and" to be added] Tenure Committee also advises the University and makes recommendations concerning the interpretation and amendment of these regulations, but such advice and recommendations are not binding on the Judicial Committee.

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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.

The section is unclear about its scope. The "but" clause could be struck because the issue concerns "additional functions" of Academic Freedom and Tenure, not SJC. Professor Farr said that he did not believe the section belonged there, because any recommendations from this Committee would be binding on SJC.

**13.2** Procedures. Proceedings before the Judicial Committee will be conducted in conformity with these regulations. The Judicial Committee may adopt additional rules with the approval of the Tenure Committee, as provided in Section **16.3**.

In every case before the Judicial Committee the senior academic administrator may designate the academic administrator who will represent the University as respondent. If the case involves two or more campuses or areas, the president or the senior vice president for academic affairs may designate the respondent.

Professor Farr recommended that in order to underscore the juridical function and independence of SJC, the first paragraph of **13.2** could be modified to read (something like): "The Judicial Committee applies and interprets these regulations in complaints that come before it. The Judicial Committee has its own Rules of Procedure and may adopt additional rules with the approval of the Academic Freedom and Tenure Committee, as provided in section **16.3**."

**1.2** Protection Of Faculty. Denial of faculty appointment or reappointment or removal or suspension from office or censure or other penalty must not be based upon any belief, expression, or conduct protected by law or by the principles of academic freedom.

Professor Farr said that it has long been assumed but is nowhere plainly stated that SJC has original jurisdiction over cases involving complaints that allege violations of academic freedom. **1.2** might have added to it (or a new 1.3 be created stipulating), "Cases of alleged violations of academic freedom may be brought directly to the Judicial Committee, in accordance with Section **15**."

Where else might such claims go, Professor Doherty asked? The Office for Conflict Resolution, headed by Ms. Chalmers. This says that SJC is a legitimate option, Professor Doherty said. The intent was not "may," Professor Farr responded, it was "must": academic-freedom cases would come to SJC and not elsewhere. He said there could be a discussion about that, because academic-freedom issues have been attached to workplace complaints. One could say that the academic-freedom issue will be addressed by whatever body it was raised in, but Ms. Chalmers has said that she sees academic freedom as so central to the faculty role that it should be raised in a faculty body like the SJC because it deals so closely with the tenure code. Moreover, her office uses panels that may have faculty or staff on them, as well as some appointed by the administration. In her view, there should be one principal place where claims of violations of academic freedom should be heard.

If the decision is that SJC will decide academic-freedom issues, Dr. Carney observed, some cases will be clear-cut and others will require a judgment call. Professor Farr said that the person who files the complaint will have the final call. It is standard practice to talk with an individual before next steps are taken; there can be a conversation about whether there is an academic-freedom claim, and if so, whether it would stand. There is enough informal advice to complainants that they can make a decision; they recognize the gravity of a claim of a violation of academic freedom and understand that there are high stakes

involved in such claims, Professor Farr concluded. Dr. Carney said she only wished to be assured that the faculty member is adequately protected and not bounced around from one body to another; the informal counseling would be helpful. The proposed change would clear up the jurisdictional question, Professor Farr said, and the individual would talk with the SJC chair to clarify where to take a claim. If he thought the person did not have a strong case, he would say so (although his advice would not be binding on the person). SJC does not want frivolous cases, but the SJC chair is not a gatekeeper.

Professor Mowitt inquired if there is any sense about due process, so that someone does not get to the end of a proceeding, only to be told he or she should have gone elsewhere. Should they go to the Office for Conflict Resolution first simply to present a more credible claim to SJC? Professor Farr said that changing section **15.1** would make things clearer.

**15.1** Right To Review. Any faculty member who claims that his or her rights or status under these regulations have been adversely affected without his or her consent may seek review before the Judicial Committee. Cases arising under Sections 4, 7, 7a, 8, 10, or 11 or 12 may be brought directly to the Judicial Committee. In other cases, the faculty member must exhaust all other available University remedies before bringing the case to the Judicial Committee; the Judicial Committee will not proceed with such a case until the appropriate University body has either decided it or has refused to consider it.

Professor Farr suggested amendments to section **15.1**. To further clarify the status of academic freedom claims, section **15.1** might have added to its list of sections reference to section 1, so as to read: "Cases arising under Sections 1, 4, 7, 7a, 8, 10, 11, or 12 may be brought directly to the Judicial Committee. In these cases, that is, the Judicial Committee has original jurisdiction." It might continue to read "In other cases, . . . until the appropriate University body has either decided it or has refused to consider it. In such cases, that is, the Judicial Committee has appellate jurisdiction." In the case of appellate review, SJC would be limited to looking at procedural questions, he said.

The Committee voted unanimously in favor of the changes, with the understanding that "may" will be changed to "must" in section 15.1. The language of the revised sections would now read as follows:

- The clause beginning with "but" in Section **16.4** would be deleted from the tenure code: Section **16.4** Additional Functions. The ["Academic Freedom and" to be added] Tenure Committee also advises the University and makes recommendations concerning the interpretation and amendment of these regulations.
- **13.2** Procedures. The Judicial Committee applies and interprets these regulations [this policy] in complaints that come before it. The Judicial Committee has its own Rules of Procedure and may adopt additional rules with the approval of the Academic Freedom and Tenure Committee, as provided in section **16.3**.

In every case before the Judicial Committee the senior academic administrator may designate the academic administrator who will represent the University as respondent. If the case involves two or more campuses or areas, the president or the senior vice president for academic affairs may designate the respondent.

- **1.2 Protection Of Faculty.** Denial of faculty appointment or reappointment or removal or suspension from office or censure or other penalty must not be based upon any belief, expression, or conduct protected by law or by the principles of academic freedom. Cases of alleged violations of academic freedom may be brought directly to the Judicial Committee, in accordance with Section **15**.
  
- **15.1 Right To Review.** Any faculty member who claims that his or her rights or status under these regulations have been adversely affected without his or her consent may seek review before the Judicial Committee. Cases arising under Sections 1, 4, 7, 7a, 8, 10, 11, or 12 must be brought directly to the Judicial Committee. In these cases, that is, the Judicial Committee has original jurisdiction. In other cases, the faculty member must exhaust all other available University remedies before bringing the case to the Judicial Committee; the Judicial Committee will not proceed with such a case until the appropriate University body has either decided it or has refused to consider it. In such cases, that is, the Judicial Committee has appellate jurisdiction.

Vice Provost Carney inquired if these changes would have any effect on action by the Senate on the other changes to the code (sections **7.11**, **7.12**, **9.2**, and **5.5**) that have already been brought for information twice. Professor Clayton assured her they would not. The changes approved today will be brought to the Senate later.

## **2. Judicial Committee Matters: Emeriti Faculty and Academic Freedom**

Professor Farr next recalled that in his memo to the Committee he had made the point that emeriti faculty deserve formal protection of academic freedom in those cases involving "censure or other penalty," despite their not being a faculty member who is "employed by the University of Minnesota System" (Definition b). A further change to section **1.2** might read (something like): "Denial of faculty appointment or reappointment, or removal or suspension from office, or censure or other penalty, **including when directed at emeriti faculty**, must not be based upon any belief, expression, or conduct protected by law or by the principles of academic freedom." In combination with the change to section **1.2** that the Committee had approved, the language of the code would then provide emeriti faculty with the same protections offered to employed faculty members, in the rare cases that might arise.

At present emeriti faculty may have only informal proceedings to hear claims. The claims are infrequent, but emeriti faculty do have offices, students, lab space, etc. In the rare cases when academic freedom would be raised, they should be dealt with by the same principles as are other academic-freedom claims. Professor Abul-Hajj pointed out that deprivation of office space is perhaps the most severe action that can be taken against emeriti faculty because it deprives them of access to the department. But programs do expand, and when there is no space left, he has had to ask an emeritus faculty member to give up his office. He felt bad about it, but he could not maintain office space for emeriti faculty at the expense of a new faculty member. In terms of grants and publishing, everyone wants emeriti faculty to be able to continue. Professor Farr said one cannot anticipate all emeriti-faculty issues. Office space is in any case a condition of employment and would not come to SJC.

Current Human Resources policy provides that emeriti faculty are only protected if they have a temporary connection with the University. What is temporary, Professor Farr asked? The policy is also clear that all dealings with emeriti faculty will be on an informal basis. By SJC rules, however, they would be considered employed. Emeriti faculty are not always employed, Dr. Carney said; if they are on

a grant, they could be. She said she would like to have an opinion from the Office of the General Counsel on when someone is or is not employed at the University. There could be implications from a decision that the Committee is not seeing.

There are two issues, Professor Farr said. One, the University is interested in protecting itself from claims by non-employees. Two, how will the University treat emeriti faculty?

Are all emeriti faculty entitled to this protection, Professor Doherty asked? They are not entitled to it, but would usually receive it, Professor Farr said. What if a decision was made not to give an office to an emeritus faculty member who was a political dissenter, Professor Doherty asked? That would be an academic-freedom issue. The right would be automatic but not absolute.

### **3. Academic Freedom and Board of Regents Policy**

The final issue he raised in his memo was related to the Regents' policy on academic freedom and responsibility, Professor Farr recalled. Section 1.1 of the tenure code refers to "the policies of the Board of Regents regarding academic freedom." The title of the relevant policy, however, is "Academic Freedom and Responsibility." "Responsibility" might be added. It may also be timely to reconsider the wording of that policy and thus section 1.1 in light of the report of the recent Task Force on Academic Freedom and other developments nationwide. More simply: does the wording of this policy fit the current state of discussion of the meaning of academic freedom? Should it be changed?

It was agreed that the Committee would take up the broader questions of academic freedom and institutional policy once it completes review of the tenure code and the Procedures.

### **4. Tenure Code Section 9.2 (Criteria for Promotion to Professor)**

Professor Clayton drew the attention of Committee members to a memo from a faculty member who had written about his own career and why he had not been promoted to professor. An abbreviated and edited version of the statement follows.

I listened with interest during last week's University Senate discussion about revising the tenure code. At one point a concern was raised about faculty becoming mired at the associate level due to their professional duties changing after they have achieved tenure – how can they then advance in rank when their newer duties do not match the criteria for advancement? Perhaps my own career will provide an example, so please bear with me while I synopsize it:

I joined the [college] faculty in 1992 and on a fairly traditional trajectory emphasizing research was able to be promoted and granted tenure. At that time I had 15 peer-reviewed publications, 3 grants including a major multi-year grant from a national foundation, and several book chapters, along with the requisite teaching and service requirements. Upon promotion, almost immediately the primary focus of my career duties shifted toward education, duties that included:

- Directing student education for our department.
- Directing a required clerkship in 1998-2001.
- Developing and directing a 2-year course from 2001-present.
- Serving for 6 years on the college's Education Council, the last 3 of which were as Chair.

-- Chairing several major college committees and task forces.

Excepting the division directorship for my department, all of the above were duties that were asked of me by the dean and that were directly serving the mission of the college.

While this was happening, of course, my research activity slowed considerably. Despite this, when able I tried to continue writing and participating in my primary national professional organization. Since my promotion to associate professor in 1998, my academic accomplishments have included:

- Teaching awards, including the 1999 Outstanding Teacher award and the 2002 All-University Award.
- Two national research awards.
- Continued peer-reviewed publications, albeit at a vastly reduced pace – I now have 28 peer-reviewed publications.
- Three books, including authorship in a manual that is now in its 8th edition and that has sold over 100,000 copies.
- National service in the professional society, including being elected by its members to the Board of Directors in 2005.

Each year that I meet with my department's P & T committee, I am told that I do not have the qualifications for promotion to professor because I do not have 35-50 peer-reviewed papers and any further research grant funding. For me, the ironic thing about this is that since 1998 I feel as if I have done my most demanding, most creative, and highest quality work – better quality and quantity work than what I performed as an assistant professor and that was good enough to get me promoted [to associate professor]. Certainly if I had continued on the same career path focused on research, I would likely be a full professor today – but that would have meant saying no to the dean for all of those teaching and service activities.

It is my hope that a P&T code can be fashioned that would recognize the accomplishments of an associate professor whose duties have shifted in response to the needs of the institution.

Professor Doherty reported that a similar situation had arisen in his department. The faculty voted not to promote and the dean overrode the vote. The individual had taken on administrative responsibilities while the faculty followed the **7.12** statement requirements. The situation made for hard feelings, but the dean felt there had been extenuating circumstances.

Professor Abul-Hajj said that faculty members need to think about themselves. If they take administrative positions, they may be set back in their careers. In his view, that is a faculty member's choice. He said that he also faults deans for asking associate professors to take on these kinds of responsibility. The Committee should not make exceptions, however; it is writing a tenure code for everyone.

Dr. Carney said this sounds like an issue related to the unit **7.12** statement, not the tenure code. The current code does not address the standards for promotion to professor. There are faculty who take on other roles; discussions about them should take place when a unit is writing its **7.12** statement.

Professor Simon surmised that even with the revised tenure-code provisions, this promotion would not have been supported. The person had made choices that had an impact on his career, even if they were requested by the dean.

Committee members concluded they did not wish to propose changes to the draft language that they had already approved.

## **5. Promotion of Assistant Professor to Full**

Professor Clayton next related that an issue had been raised by an FCC member about assistant-professor promotion options (7.12 and/or 9.2). He had received this message: "Departments are revising the 7.12 and the question was whether current Assistant Professors would have a choice of current/new standards for promotion to Full Professor. People understand that current Assistant Professors will have a choice of 7.12s in tenure and promotion to Associate, and presumably current Associates will have a choice in promotion to Full. I do not recall explicit conversation about Assistant to Full."

Dr. Carney said that current faculty must decide within one year whether they will be governed by the new or the old 7.12 statement, and she will require a statement in writing from every assistant and associate professor indicating their choice so there is a record protecting everyone. The language of Interpretation 6 of the tenure code is clear:

### 6. Interpretation of Subsection 7.11: Consideration of Factors Other than Primary Tenure Criteria.

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The faculty of an academic unit are expected to periodically review their criteria for awarding indefinite tenure and reflect any new criteria in a revision of their Subsection 7.12 Statement. The new criteria and Subsection 7.12 Statement must be adopted in accordance with the established procedures of the University, after consultation as required by those procedures. Current probationary faculty in the unit may elect to be evaluated on the criteria in the previous Subsection 7.12 Statement or on the new criteria. This option is also available to current tenured faculty in their evaluation for promotion to the next level. Probationary or tenured faculty must make this decision within one year of the date of administrative approval of the new criteria.

In the case of assistant professors, she said, once they are promoted (whether under the current or previous 7.12 statement), they are—as associate professors—bound by the most current 7.12 statement. Committee members concurred.

Professor Mowitt asked if this is being communicated to departments. Dr. Carney said she was enunciating the principle; the specifics should be included in the Procedures. She will draw up a memo of understanding for each assistant and associate professor, to be signed by them, the chair, the dean, the Provost, and her, in order to protect everyone. Is that not a lot of bureaucratic paperwork, Professor Abul-Hajj asked? Dr. Carney thought not; someone might want to change their mind 13 months later and the memo of understanding will make it clear that cannot happen. This is the kind of issue that comes to SJC, and it is also better to decide earlier than later for the purpose of annual reviews. Otherwise the individual and the department are in limbo between the new and the old 7.12 statement. The paperwork will be in her office, she added.

She will also bring up this issue at workshops for assistant and associate professors, Dr. Carney said, and will keep getting the word out. With new faculty, of course, it is clear that they will be covered by the new **7.12** statements. For departments, there will be a period when some faculty are under the old **7.12** and some under the new one.

Chairs should be reminded regularly about this, Professor Farr observed, because SJC continues to see problems with annual reviews.

Professor Simon asked if faculty will also be given a choice between the old and new version of a department's procedures document. Dr. Carney said it is her interpretation that nothing in an evolving procedures document can contradict the **7.12** statement. If the **7.12** statement contains procedural prescriptions, a separate procedures document may not contradict the **7.12**

Departments may revise their **7.12** statements if they do not work, Dr. Carney affirmed in response to a question. These should be living documents. At present departments are required to review them every 10 years, but she has seen statements that were last revised in 1985 (that referred to quarters). A number of units need to review their **7.12** statements in order to clean them up.

It is clear that mixing and matching elements from new and old **7.12** statements is prohibited, Professor Mowitt asked? Dr. Carney said that Interpretation 6 is clear: a faculty member uses either the new or the old.

Professor Farr said that his department is keeping the assistant professors involved in the **7.12** discussions and they will also vote on it. However they vote, they can each make an individual choice whether to be under the new or the old statement. Dr. Carney said the practice varies: in some cases, only the tenured faculty vote on the **7.12** statement; in others, all do. The proposed new language of the tenure code will require that all faculty be allowed to vote on it.

With no timeline for being promoted to professor, Professor Doherty observed, someone in the associate professor position a long time could see several changes in a **7.12** statement. Dr. Carney agreed, and said that each time there is a change a chair must make people agree which one they will be bound by. But people cannot go back two or more versions, Professor Doherty commented.

## **6. Approval Process for the Procedures**

Professor Clayton next noted that in addition to revising the Procedures For Reviewing the Performance of Tenure-Track Probationary Faculty, the Committee needs to consider what becomes of them then. He referred Committee members to Section **16.3** of the tenure code: "The senior vice president for academic affairs [and provost] and the [Academic Freedom and] Tenure Committee may jointly adopt the procedures provided by subsections **7.4** and **7.61**, and jointly approve the procedures proposed by the Judicial Committee under Section **13.2**. Such procedures must be reported to the Faculty Senate and the Board of Regents before they go into effect."

There are, he said, three options:

-- Present practice: AF&T and Provost approve, Faculty Senate informed, or

- Faculty Senate approves, or
- Faculty Senate discusses, then AF&T approves after taking account of Senate discussion.

Professor Chomsky, chair of FCC, asked that this Committee consider whether the Faculty Senate should vote on the Procedures. At present, Dr. Carney pointed out, the Committee and the Provost can make changes following proposal and discussions by the Faculty Senate and the Regents, but neither of the latter two bodies is required to take action on them. In any event, Professor Doherty said, changes to the Procedures should not be part of a consent agenda or an FYI to the Senate—there should be time allocated for discussion.

Changes to the tenure code are big issues and not made often, Dr. Carney said. The Procedures have not been changed very much, either, but that has been a problem, and they should have been changed more often than they have been. She said she would like to be able to come to the Committee as issues (related to the Procedures) arise and have a discussion about changes—and then take any proposed changes to the Senate and Board for review. For example, there is nothing in the Procedures on how to deal with stopping the tenure clock. It is better for the faculty if the Procedures can be more fluid. Changes can be made expeditiously, but not lightly. These Procedures, she said, are functionally a handbook, but they do need to be updated. Issues can be brought up on the Senate floor if people have questions or problems.

What about the request to consider changing the approval process, Professor Doherty asked? Dr. Carney said the Committee has been very open in reporting its discussion and proposed changes, and that won't change. She is interested in what causes problems for faculty and wants to be able to give guidance through the Procedures. This Committee is then the only one adopting procedural policy, Professor Mowitt said. That is what the tenure code has allowed, Dr. Carney said, but the procedures cannot conflict with the code.

Must the Board approve the Procedures, Professor Doherty asked? Once the Board has seen them, they become official, Dr. Carney said. It is unlikely that the Board would be interested in a line-by-line discussion. It operates at a high conceptual level and the mechanics are part of administrative policy.

The Committee concluded that the present process is acceptable. It was also agreed that the Faculty Consultative Committee need not be mentioned explicitly in the review process because it must approve the Faculty Senate docket, which would contain any proposed changes to the Procedures.

## **7. Continued Review of the Procedures**

The Committee turned next to the Procedures For Reviewing the Performance of Tenure-Track Probationary Faculty, to section 13 (Who is eligible to vote), with underlined comments from Vice Provost Carney: "Only members of the tenured faculty of the department have the right to attend or participate in the meeting and vote. However, prior to a specific tenure decision, permission may be sought in writing from the senior academic administrator for other faculty to participate and vote. This is particularly important in cases of candidates whose work encompasses multiple disciplines. Tenured faculty from several departments may appropriately consider a candidate's record. The request must specify the probationer under consideration, the name(s) of those for whom exceptions are sought, and a justification for each such exception. Here should mention small number of tenured faculty in an area or any other reason. Authorization in writing by the senior academic administrator must be obtained for all exceptional

participation and voting. If the department head is a member of the tenured faculty, he or she may participate and vote, but has no additional tie-breaking vote."

The provision of the second sentence is used when a department does not have enough professors to vote to promote someone from associate professor to professor, Dr. Carney said. There should be new language to make explicit what the tenure code allows.

Who selects these additional faculty, Professor Abul-Hajj asked? For faculty who do interdisciplinary work, in the future, when they are hired, there will be a memo of understanding that the individual's work spans these areas, etc. There must be a decision by the faculty member, chair, and dean—everyone must buy in, Dr. Carney said. For those who are already at the University, faculty members can request a promotion-and-tenure committee that includes faculty from other departments.

What about the case of a faculty member with a 25% appointment in one department and 75% in another, Professor Abul-Hajj asked? Will the department let someone with a 25% appointment vote on personnel matters and other things? Tenure is in the University, Dr. Carney pointed out; that issue should be resolved and the procedures in a department should be clear on who votes.

And in the hypothetical case Professor Abul-Hajj mentioned, Professor Mowitt said, the question is which 7.12 statement applies to him or her? That must be resolved, Dr. Carney agreed. She is working on a template and has gotten sample statements on interdisciplinary faculty. But which document do they use, Professor Doherty asked? They would have a single tenure home, Professor Simon said. Professor Gaugler asked if the decision about promotion to tenure would be made in the home department. It would, Dr. Carney said, but in the case of a 50/50 appointment, a tenure home would be chosen but there would be participation by the other department.

It falls to the senior academic administrator to bring in other faculty, Professor Farr said. What happens if the candidate feels that faculty he or she has not worked with are brought in? That question arises, Dr. Carney said; can the candidate negotiate the disciplines he or she works in and ask for specific individuals to be on their committee? It is for this reason she is charging departments to identify how they will evaluate interdisciplinary faculty and providing them with best practices for their 7.12 statements. A subsidiary question is "who votes?" In a small department, there may be adjunct faculty who can be called on, with the approval of the dean, for the protection of the faculty so they do not feel it was a capricious decision.

Professor Mowitt wondered if all of these provisions are not creating a problem where none exists. It is difficult to believe a department would hire someone it does not believe it can evaluate. It happens, Dr. Carney said. She would like to see language adopted that prevents something unfortunate happening at the end of the process. In some cases, Professor Abul-Hajj said, someone may be hired for an institute or center and then a tenure home is found for them. The person is not imposed on a department. Then if the department accepts the person, it should be saying it is competent to judge him or her, Professor Mowitt responded. There will be cases where someone is not in the discipline's mainstream, Dr. Carney said. Some would not accept such a candidate, but some do. Would it not be a violation of academic freedom, Professor Mowitt asked, if a department were to hire someone outside the discipline's mainstream and then suggested to the person he or she could not pursue lines of inquiry he or she wished? It would, Dr. Carney said and then the decision at the end of the process would be a denial of tenure.

Professor Farr said there could be a situation where faculty are brought in to help make a tenure decision but the choices are seen as political. The question is whether there is enough trust in people providing the external review or if there will be worry about a deal's being struck on who is brought in. Or, vice-versa, that the candidate will pick friends, Professor Mowitt added. So if one does interdisciplinary work, but is not in an interdisciplinary department, one is bound by the review within the discipline, Dr. Carney asked? Professor Mowitt commented that a department could hire someone like that, just to get the faculty line, but it would be reprehensible.

The Committee agreed it wished to hear from Professor Jeff Kahn about his experiences with faculty who do interdisciplinary work.

Professor Clayton adjourned the meeting at 11:05.

-- Gary Engstrand

University of Minnesota