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**Tenure Committee  
Monday, May 19, 2003  
Room 238A Morrill Hall**

Present: Ron Akehurst (chair pro tem), Kent Bales, Carol Carrier, Robert Jones, Cleon Melsa, Bernard Selzler, Jennifer Westendorf

Absent: Tom Clayton, Amos Deinard, Dale Carpenter, Nancy Ehlke, William Garrard, Carston Wagner

Guests: Executive Vice President Christine Maziar, Senior Vice President Frank Cerra

[In these minutes: evolving 7.12 statements]

**Evolving 7.12 Statements**

Professor Akehurst convened the meeting at 1:20, welcomed Executive Vice President Maziar and Senior Vice President Cerra, and reviewed the discussion of the issue of the evolving 7.12 statement.

The Committee was informed that a faculty member would be required, as part of a given department 7.12 statement, to raise part of his salary from outside funds. The Committee thought that could be an improper requirement of a faculty member, whose normal requirements are teaching, research, and service. Such a faculty member could learn, after 15 years of work, that he must now raise outside funds or he will not receive a salary increase. The Committee had questions about the matter: if someone voted for the 7.12 statement that included such a requirement, would their objection in effect be waived? Has the administration actually seen and approved such a statement? Has the department included such a requirement in its 7.12 statement?

Neither Dr. Cerra nor Dr. Maziar had seen any such statement--and they would have had to review it before it could have been adopted. Dr. Cerra reported that departments in the college in question review their 7.12 statement bi-annually; when a faculty member is up for tenure, he (Dr. Cerra) asks for a copy of the 7.12 statement that covers the individual. If a department changes the statement and the new statement is approved by a vote of the faculty, the probationary faculty can choose which 7.12 statement to be covered by, the new one or the one in effect when he or she was hired. For post-tenure review, the statement approved by a vote of the faculty at its last update is the 7.12 that is operational for the post-tenure review.

That option is clear with probationary faculty, Professor Akehurst said, but he has never seen it applied in the case of post-tenure review. Dr. Jones said that probationary faculty have the option; full professors, however, must be evaluated on the basis of the most recent 7.12 statement. When post-tenure review was instituted, all departments were given the opportunity to review their 7.12 statements and many did; they were reviewed by a subcommittee that included the chair of the Tenure Subcommittee.

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The adoption of 7.12 statements is a democratic process; they are written by the faculty. Probationary faculty get the choice because they did not have a vote on a new version that may have been written. It does not make much sense to argue that a full professor could choose to be evaluated on a 7.12 statement written 25 years ago.

There is a danger that the faculty could vote to approve a change requiring faculty to raise part of their salaries from external funds, Professor Akehurst commented. There is not, has not been, and never will be a 7.12 requirement that individuals must raise X% of their salaries, Dr. Cerra said. The statement may say that if one changes from 70% research and 30% teaching to 40% research, then the teaching responsibilities need to increase. He said he has spoken with the dean and department head and there is no funding requirement. A research career is evaluated on a number of factors: grants, lectureships, NIH study sections, articles, kind of journal published in, citations, and so on. These are the elements that are used to evaluate a faculty member--but they are not included in the 7.12 statement.

Dr. Maziar affirmed that there is no 7.12 statement that includes a requirement that a faculty member raise part of his or her salary from outside funds.

This whole issue arose because a faculty member believed he was or would be targeted in a post-tenure review for not bringing in external grants, Dr. Jones pointed out. That perception led to the discussion that developed a life of its own.

How is it known the percentage of time spent on teaching and research, Professor Bales asked? That is known in the department, Dr. Cerra said; if the number of grants declines, a faculty member should teach more. There is no formula that adds up to 100%. There is no clean metric for research productivity, Dr. Maziar agreed, which is why there always have to be conversations in the departments. There are also large variations among disciplines, she said; English uses different measures from Electrical Engineering, but in both cases departments are aware when someone is not productive. Dr. Maziar said she would be very concerned if she saw an overly-prescriptive 7.12 statement or one that was overly-numeric in its measures of performance or productivity.

If an individual feels there has been a process violation, Dr. Cerra pointed out, there are avenues to pursue them, either the grievance process or the Judicial Committee.

Professor Bales commented that it sometimes can be difficult for a department faculty to make judgments about some colleagues because they do not know their fields. It also may be that in the Academic Health Center this is occasionally true and, if so, there may be a few people in a few departments who do not have peers among their immediate colleagues. Whether a minority because their research interests have not changed or because they have developed unusual research interests, they should not be punished simply for their difference.

Who is the best group to be consulted, Dr. Maziar asked? It may be necessary to consult with peers at other institutions, Professor Bales said. And if the individual has no publications and a lousy service record, it is an easy call. What about if someone publishes in a vanity press, Dr. Maziar asked? Those are sometimes difficult to identify, Professor Bales said. Dr. Cerra demurred for the sciences; it is clear which are the top, secondary, and bottom journals in the sciences, he said. One knows if there is a history of grants, one can look at the citation index, and so on--the measures are not a mystery. Dr. Jones pointed out that in small departments the Provost can require the addition of people to review committees.

Dr. Cerra said there are multiple levels of review of files--about five layers--and that the system works pretty well. He added that he would not approve including numbers in a department 7.12 statement. Nor has he seen any such statement.

The tenure code requires a continuous review of the 7.12 statements, Dr. Cerra observed. Dr. Jones said that disciplines change and the review provides departments the opportunity to examine their standards to be sure they are current. At the same time, Dr. Maziar pointed out, most departments have not altered their 7.12 statements. Dr. Jones agreed; he said he had seen no proposed changes since departments reviewed their statements for the post-tenure review process.

The Tenure Subcommittee was deeply involved in drafting the post-tenure review process, Dr. Jones recalled. There is an opportunity to grieve and there are many remedies. The policy itself is developmental, not punitive. At the same time, there have been a number of faculty who have retired or resigned rather than go through post-tenure review; that same phenomenon has occurred around the country at institutions that have adopted post-tenure review systems. While the process can ultimately lead to dismissal for cause, there are alternative remedies and the department has responsibilities with respect to its faculty; it cannot simply say "you are not cutting it and are dismissed."

If the post-tenure reviews will use the current 7.12 statement, Professor Bales pointed out, that is a good reason to review it regularly.

Dr. Jones urged that the Committee exercise caution in responding to individual faculty concerns or complaints. It should adhere to policy issues and not serve as a surrogate for the judicial or grievance function. It ran the risk of starting down that path in this instance. Professor Bales remarked that Dr. Jones's point has to do with the charge to the Committee and that while he would be uncomfortable changing things because of one case, the Committee does need a feedback loop in order to learn of situations that may require review and correction. For the Committee is charged with interpreting the tenure code and fixing problems in it as they arise (although, again, not just for one person). Some faculty clearly work in an environment that now relies more heavily than before on external funding. Yet to use success in getting external grants as a criterion either for granting tenure or in post-tenure review risks being unjust to scholars doing important but unpopular or unfundable research. The work of such scholars could be unjustly ignored or discounted in circumstances in which the majority has been hired with the expectation of raising external funds. If what is in fact a primary standard goes unstated--is not included, that is, in the 7.12 statement yet is applied in review--the possibility is increased that the decision will be unfair. Thus, while 7.12 statements of a more general nature may be fairer in some circumstances, they also in other circumstances (such as these) may increase the risk that unfair judgments will be made in personnel decisions.

Professor Akehurst adjourned the meeting at 2:15.

-- Gary Engstrand