

Minutes*

Academic Freedom and Tenure Committee
Friday, November 17, 2006
9:30 – 11:00
300 Morrill Hall

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

Absent: Carol Carrier, Tina Huang, John Mowitt, Jianyi Zhang

Guests: none

[In these minutes: (1) tenure code Section 7.12 (departmental statement); (2) tenure code Section 7.11 (general criteria); (3) tenure code Section 9.2 (criteria for promotion to professor); (4) tenure code Section 5.5 (exception for new parent or caregiver)]

1. Tenure Code Section 7.12 (Departmental Statement)

Professor Clayton convened the meeting at 9:30 and noted that there were copies of revised versions of Sections 7.11, 7.12, 9.2 and 5.5 of the tenure code available. The revisions to 7.11, 7.12, and 9.2 reflect comments made at the meeting of the Faculty Consultative Committee the previous day. He said there is a need to revise and clarify the relationship between Section 7.11 and the departmental statements required by Section 7.12. He also observed that no code could cover every possible contingency and that the Committee needs to get something that is reasonable prepared for the Faculty Senate on November 30. He suggested the Committee take up 7.12 first inasmuch as it was the focus of much of the discussion at the FCC meeting.

The Committee discussed a number of points and reached agreement on them as follows:

-- The language should be clear that 7.12 statements must be approved by the dean, other appropriate academic administrators (e.g., chancellor), and by the University's senior academic officer.

-- The 7.12 statements must be approved by a vote of the faculty (both probationary and tenured) in the academic unit. (There was discussion about whether a department with a large number of probationary faculty might vote to weaken standards in the 7.12 statement, but Dr. Carney pointed out that the Provost's office and each dean must approve the statements, so presumably would question any weakening (or strengthening) of the standards. In some cases, there will be probationary faculty who will vote on a document they will not have to live with (because they will not achieve tenure), but there will also be senior faculty close to retirement voting on a statement that they will not have to live with, either. The Committee agreed that the democratic way to proceed is to require that all faculty (probationary and tenured) vote on the 7.12 statement.

* 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 7.11 statement sets threshold criteria for tenure; the 7.12 statement sets the standards used by the department, and the departmental standards may exceed the threshold criteria of 7.11.

-- All 7.12 statements must include the text and footnotes of Sections 7.11 and 9.2 ("Criteria for Promotion to Professor").

The final version approved by the Committee, with post-meeting edits by Professor Clayton in concert with FCC Chair Professor Carol Chomsky, and the version distributed to the Faculty Senate for its November 30 meeting, read as follows:

[Section 7.12 11-20-06]

7.12 Departmental Statement (fn 1). Each department or equivalent academic unit must have a document that specifies the indices and standards that will be used to determine whether candidates meet the threshold criteria of subsection 7.11 ("General Criteria" for the awarding of indefinite tenure). The document must contain the text and footnotes of subsections 7.11 and 9.2 ("Criteria for Promotion to Professor") and **must** be consistent with the criteria **given there** but may **exceed them**. Each departmental statement must be approved by a faculty vote (including both tenured and probationary members), the dean, and other appropriate academic administrators, including the Provost and Senior Vice President for Academic Affairs. Each academic unit must provide each of its probationary faculty members with a copy of the Departmental Statement at the beginning of the probationary service.

(fn 1) "Departmental" refers to an academic department or its equivalent, such as division, institute, or unit.

2. Tenure Code Section 7.11 (General Criteria)

The following points were made in the discussion.

-- It was said at the FCC meeting that the last sentence of (what is now the second paragraph of) Section 7.11 was confusing (see the language the Committee approved, below). The Committee agreed it should be changed from "The awarding of indefinite tenure presupposes that the candidate's record shows strong promise of achieving promotion in rank within the University" to "The awarding of indefinite tenure presupposes that the candidate's record shows strong promise of achieving promotion to professor."

-- What was footnote 7 seemed to suggest that outreach and public engagement were classified as service. FCC members made the point that that contradicted the text, which provides that public engagement can be one way of carrying out research and teaching as well as service. The Committee agreed the language should be changed so that the footnote (now fn 5, below) refers to outreach as part of discipline-related service but that public engagement, in the text, could constitute teaching or research as well.

-- The Committee voted not to make any reference to quantitative evaluations, although doing so had been suggested at the FCC meeting. The Committee took the view that a qualitative evaluation can include quantitative elements but that there is no need to say so. The Committee also took the position

that the word "qualitative" must remain in the text (of both 7.11 and 9.2) to make it clear that a purely quantitative or numeric evaluation of a candidate for tenure or promotion would not be acceptable.

-- The Committee discussed the definition of public engagement and why it is included as one possible kind of activity to be considered in evaluating candidates for tenure and promotion, and agreed it should be left in the text. It may not be important in all fields, but it is in some.

-- The Committee voted to rearrange some of the sentences, create separate paragraphs, and reduce the number of footnotes in order to make the entire section clearer.

The final version approved by the Committee, with post-meeting edits by Professor Clayton in concert with FCC Chair Professor Carol Chomsky, and the version distributed to the Faculty Senate for its November 30 meeting, read as follows:

[Section 7.11 11-20-06]

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 is likely to continue to add to a distinguished record of academic achievement that is the foundation for a national or international reputation or both (fn X). This determination is reached through a qualitative evaluation of the candidate's record of scholarly research or other creative work, teaching, and service (fn 5). 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; such contributions can involve scholarly research or other creative work, teaching, and discipline-related service.

Specific details on the nature and weight of these contributions in the individual academic unit are given in the statements required by subsection 7.12 ("Departmental Statement"), but the primary emphasis must be on demonstrated scholarly or other creative achievement and on teaching effectiveness. Service standing alone, without a distinguished record of teaching and scholarly research or other creative work, is an insufficient basis to award tenure. The awarding of indefinite tenure presupposes that the candidate's record shows strong promise of his or her achieving promotion to professor.

(fn X) "Academic achievement" includes teaching as well as scholarly research and other creative work. The definition and relative weight of the factors may vary with the mission of the individual campus.

(fn 5) The persons responsible and the process for making this determination are described in subsections 7.3 through 7.6.

"Scholarly research" must include significant publications, and, as appropriate, the development and dissemination by other means of new technology or scientific procedures resulting in innovative products, practices, and ideas of significance and value to society.

"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.

"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; and (2) institutional service, which includes administrative, committee, and related service to one's department or college, or the University. All faculty members are expected to engage in service activities, but only modest institutional service should be expected of probationary faculty.

3. Tenure Code Section 9.2 (Criteria for Promotion to Professor)

The following points were made in the discussion.

-- One FCC member inquired whether there should be a reference to raising external funds as a possible criterion for promotion to professor. The Committee rejected a proposal to include such language on the grounds that while obtaining such funds may be essential to doing research in some fields, it is not necessary or required or possible in other fields. The draft language does refer to interdisciplinary work, public engagement, international activities, and technology transfer as possible activities to be considered in evaluating a candidate for tenure or for promotion to professor, but those are more general.

-- The definitions of research, teaching, and service need not be repeated; there can simply be a reference to the definitions in 7.11.

-- The language concerning an expectation of greater institutional service is included to distinguish it from the language in 7.11 calling for only modest institutions-service expectations for probationary faculty. Tenured faculty are expected to contribute more in this regard.

-- The sentences and paragraphs should be reorganization to parallel the changes in Section 7.11.

The final version approved by the Committee, with post-meeting edits by Professor Clayton in concert with FCC Chair Professor Carol Chomsky, and the version distributed to the Faculty Senate for its November 30 meeting, read as follows:

[Section 9.2 11-20-06]

9.2 Criteria for Promotion to Professor. The basis for promotion to the rank of professor is the determination that each candidate has (1) demonstrated the intellectual distinction and academic integrity expected of all faculty members, (2) added substantially to an already distinguished record of academic achievement,(fn X) and (3) established the national or international reputation ordinarily resulting from such distinction and achievement. This determination is reached through a qualitative evaluation of the candidate's record of scholarly research or other creative work, teaching, and service (fn 5). 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; such contributions can involve scholarly research or other creative work, teaching, and discipline-related service.

Specific details on the nature and weight of these contributions in the individual academic unit are given in the statements required by subsection 7.12 ("Departmental Statement"), but the primary emphasis must

be on demonstrated scholarly or other creative achievement and on teaching effectiveness. Service standing alone, without a distinguished record of research or other creative work and teaching as an associate professor, is an insufficient basis for promotion.

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

(fn 5) The persons responsible and the process for making this determination are described in subsections [to be supplied as equivalent to 7.3 through 7.6 for 7.11].

See the definitions of "scholarly research," "teaching," and "service" in footnote _ , subsection 7.11. A greater contribution in the area of institutional service is expected of candidates for the rank of professor than was expected for the award of tenure.

4. Tenure Code Section 5.5 (Exception for New Parent or Caregiver)

A number of points were made in the discussion.

-- The language should be changed to allow stopping the tenure clock for medical reasons on the part of the faculty member him or herself, not only because of a need to give care to a family member.

-- There should be one year to request the leave, not three months.

-- There should be no penalty or retribution—from any quarter—for a probationary faculty member who chooses to exercise this provision of the tenure code. Professor Clayton read the contents of an email from a faculty member who pointed out that for a probationary faculty member who has received a federal grant, the funds and grant work do not stop just because someone becomes a parent. The author of the email said she would advise probationary faculty members not to become pregnant or become a parent during probation, if on a grant, because it would damage considerably the individual's likelihood of achieving tenure. Dr. Carney commented that the problem with that point of view is the attribution of causality: it is not stopping the tenure clock that is the problem it is having the child—"the problem is living with you." To advise someone not to get pregnant or become a parent is a personal opinion; if there is a change in culture, in departments and promotion and tenure committees, they will be able to look a six years of work that may be spread over 7 or 8 years. Dr. Carney said she is developing mandatory language for departments to use when seeking external review of a candidate's work, language that will make it clear when a candidate exercised the right to stop the clock.

The Committee considered but decided against stopping the tenure clock automatically for a new parent, but agreed in general it should be clear that this is a right, not an option that the department chair or others could deny.

Committee members also expressed sentiment in favor of including language that would bar any kind of retribution or penalty for a faculty member who exercised an option under Section 5.5, but the time got too late and the Committee agreed to finish work on it at the next meeting.

Section 5.5 at the end of meeting read as follows:

5.5 Exception For New Parent, Caregiver, Or For Medical Reasons. The maximum period of probationary service will be extended by one year at a time 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; or
3. When the faculty member has an extended serious illness, injury, or debilitating condition.

The request for extension must be made in writing within one year 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.

[2] The term "family member" is meant to include a blood relative, or a marital partner, or a domestic partner (registered with the University), or an adoptive/foster child.

Professor Clayton thanked everyone for getting through the three sections of the code in order that they can be brought to the Faculty Senate on November 30, and adjourned the meeting at 11:05.

-- Gary Engstrand

University of Minnesota