

SUMMARY OF POINTS

Pew Roundtable Discussion Radisson Metrodome February 2, 1995

This is the executive summary of the Pew Roundtable Discussion held at the University of Minnesota on February 2, 1995, at the Radisson Metrodome. The subject of discussion was tenure and academic freedom. This summary includes four sections:

- I. (p. 1) A set of minutes recording spontaneous recollections by the participants of occasions when academic freedom and tenure issues arose in their units.
- II. (p. 4) The pros and cons of tenure.
- III. (p. 7) A summary of steps that might be taken to ameliorate some of the problems of tenure.
- IV. (p. 14) An itemization of other points made during the discussion.

The participants in this Pew Roundtable Discussion were: W. Phillips Shively (convenor), Carl Adams, Amy Alving, Richard Arvey, Ellen Berscheid, Mario Bognanno, Carol Carrier, Sara Evans, E. F. Infante, Philip Larsen, Fred Morrison, Patrice Morrow, Ronald Phillips, Paul Quie, Burton Shapiro, Kathryn Sikkink, H. Joseph Yost

I. Instances When Tenure has been Needed for Academic Freedom

One participant commented that after teaching for a long time, "I think that we are seeing, currently, many more attacks on academic freedom, from the left, from the right, and from what I would call the `undifferentiated administration.'" The last does not mean particular University administrators in office now, but rather simply administrative controls of all sorts, which are not intended to be attacks on academic freedom but which are, in fact, attacks.

The observation continued. This person recalled talking a month ago or so with faculty members in the college; some of them were saying that they were very reluctant to discuss certain issues any more. There are faculty who are now declining to teach certain courses, because of the controversy that is generated in them. These are all people who are protected by tenure, and yet are still reluctant. If they were NOT protected by tenure, one wonders what their reaction would be.

In the same collegiate unit, this year already non-tenured faculty members have said they did not want to teach particular courses because it would require exposition on particular issues that would probably stimulate controversy among the student body--these are race and gender kinds of issues--that would affect their teaching ratings and, therefore, have an impact on their candidacy for tenure. They said all this, it was reported, openly and candidly. So, this participant concluded, "I think THAT threat is there."

With the tenure situation, the person then said, there are "old fogies like myself" who can say "OK, I'm going to go ahead and say it anyway." And there is then a burden on others to either counteract it intellectually. Alternatively, others can make the very difficult case that is necessary to

displace the faculty member. "Sure, you can make some things unpleasant, but you can't displace me, and I don't really care whether you're unpleasant."

The individual argued that if there were no tenure system, there would be, in a whole range of subject matters, including in some in the sciences, a MUCH greater reluctance to express ANY views about a large range of things. One reason is that if the burden were on the faculty member to prove the acceptability of what they were saying. Another reason, if some kind of rolling contract system were adopted, is the possibility that at the 5-year renewal time, there would be the view that a faculty member "causes a lot of static, can't we get somebody who doesn't cause so much static." That would lead to a lot of pressure toward mediocre, say-nothing-at-great-length teaching.

Tenure, this participant concluded, is vital. An institution like tenure is needed, not necessarily to protect the most vociferous advocates, but the people who have views that differ from whatever the mainstream of the community believes at the moment.

Another participant pointed out that tenure is needed not just for the classroom but also for research. One grant was publicly called into question, and "all of sudden I saw these `old guys' coming into my lectures, and they were members of the Board of Regents who just wanted to see who I was and what I was saying in the classroom." The classroom lectures turned out to have nothing to do with the research.

The point is, it was said, is that the amount of heat that can be put, not just on the faculty member, but on the members of the administration and the Board of Regents, to get rid of that faculty member, is enormous. Even though their hearts might be in the right place, without tenure, it would be difficult, in their jobs, to stand up for the principles they believe in. As it is now, they can say "this faculty member is protected by tenure, and there's nothing I can do." One can see, in some cases, presidents' heads rolling for not acting to remove a faculty member. In this instance, the press was interested in it, and there was considerable heat put on the President of the University.

At the same time as the grant publicity occurred, there were faculty members at other universities, including at another Big Ten school, who did not have tenure and who were fired overnight, because legislators put that much pressure on the universities that the institutions just said "we're done."

Another participant recalled a colleague who had been at one institution and involved in the oleomargarine controversy. The agriculture industry lobbied heavily on butter versus oleo. This colleague ended up leaving and came to Minnesota.

Another participant related a more recent set of events. A meeting of Big Ten department chairs included a conversation that turned to the rubric of accountability and national standards.

In the field of history there is a national debate going on right now about national standards, standards that have been written for primary and secondary schools (they have not been written for colleges and universities). Because the initiative for the standards came, basically, from the right, professional historians decided that if they were not involved in developing the standards, they could be written in a very particular and narrow way. So a large number of people have been involved,

many very ambivalently so.

Now the standards that have come out are under attack from the right, it was related, and there are initiatives in legislatures to mandate that American history will be taught in ways that perhaps "honor the western tradition" or the primacy of the United States. There is an intellectual war going on around this. It is directly linked to legislative power, and also to the discussions of productivity and accountability. The discussions going on in K-12 are apparently moving rapidly into higher education, so that it is possible that higher education will find itself under mandate to teach to certain standards, to have pre-tests and post-tests. For people in liberal arts fields, this is extremely complicated. For most, the idea of setting up a standard that locks in whatever is to be taught to the moment the standards are developed is a problem. Even if the standard is an accurate representation of the current state of a discipline, tomorrow there will be something else known that will not be in the tests.

The participant admitted to not understanding, until this meeting, how much pressure people are already feeling in the institutions of higher education. The pressure is political; it is coming from legislative bodies that oversee public institutions. This is a serious danger.

Another participant foresaw the same sort of thing, a little bit further along the line, for evolution in one of the University's departments. One can imagine that in some years' time there might be a great deal of pressure to teach creationism, for example. That is not science, however, and the University cannot teach it.

Another participant related that personal experience with the issue of tenure area has been relatively recent. In over 20 years on the faculty there had not been lot of problems, in terms of people being "wrestled out of the University." But this person's research, having to do with the genetic components of organizational behavior, and sexual harassment, are the areas that are very politically incorrect. There has been some pressure, and one can see it coming. All of a sudden, it was said, "it's me that's potentially affected." This has been very disturbing, because the pressure has come not only from colleagues but from the general public. And students as well, it was added; they have made charges of racism.

As a result of this experience, the participant related, "I consciously considered [whether I] should go forward with some of the scholarly opinions I hold." The individual did so because of tenure. But one can see this as limiting one's future mobility: other institutions are less likely to hire one who expresses controversial opinions, so one's own institution better be loyal if it expects faculty make those kinds of public statements.

One participant said it was interesting to listen to these recitations around the table here. A lot of people take academic freedom for granted. These have been cause for surprise, as people were relating stories, and are a reminder of the disparate parts of the University in which the issues come up, and in what form.

One might think that political science is an area especially prone to problems, and one can recall the late Mulford Sibley, who was a target of strong pressure, and who had to be defended by the department even against University administration, at the time, and against the Regents. One forgets

there are these other places and that the issue arises all around the University.

One participant asked about the health sciences; another responded. It is the problem from within. One unit had a dean, several years ago, who KNEW what appropriate research was, in his college. There were several faculty who were told by him, "your research is inappropriate." Even though it was appropriate for their fields, but in his eyes it was inappropriate. There were SEVERAL whose research was inappropriate in his mind, and there is "NO doubt, had I not had tenure, I wouldn't be in this room right now."

Another participant said that this is one of the points that has not been brought up. The examples that have turned up are the ones that are associated with political freedom. One of the most important aspects of tenure is protection of individuals involved in long-term research. What might not bother a legislature might bother a dean. Or it might bother peers who do not judge that that particular set of investigations is at the cutting edge.

This is a much more widespread problem. A large number of people would not be supported by institutions if they did not do work that was supported by NSF or another agency. It is not only the political side of the question; it is also the intellectual academic freedom that is made permissible by tenure, and for which tenure is precious.

Another participant pointed out that one can consider donors donating large amounts of money, and then looking askance at some of the research or some faculty member, and threatening to withdraw funding unless that person is canned. That is also beginning to occur.

Another participant recalled a collegiate unit that was politically forced to have a certain department. There was a lot of money available and people were brought in to be professors without evidence of scholarship. It was the tenure code that allowed the college to have a standard of scholarship or a standard of excellence that could be applied without political pressure. It was something that was used to make the best of what could have been a bad deal.

One individual observed that that is the other side of tenure. It is not only a protection for those who have tenure, but it also provides a way to do a very serious evaluation and gate-keeping. One argument that can be made is that it is easier to fire people under a tenure system than under a non-tenure system. Under a typical union contract, there is a six-month probationary period and that's it. The same is true for most civil service appointments. Under the tenure system, there is a much longer period when people can be fired, so that across the average lifetime of faculty members, they are more vulnerable longer with a tenure system than without it.

One participant thought there would be disagreement about the addition of the department to a college, because it can be argued that is not a tenure issue. One should not confuse academic freedom with public participation in selecting areas the University will be working in. The public has a serious and reasonable interest in seeking University activity in some areas.

Yet another participant recalled working on a major political issue for the State of Minnesota that needed to be addressed. Two faculty members took on a research project to study the issue and to come up with some public policy prescriptions for resolving the problems. It was a highly charged

area, and they were lobbied extensively. Once the paper was finished and made public, those on one side of the issue approached the President and indicated that they wanted those two faculty members terminated. It was very blunt, very threatening. It is not certain that that research would have gone forward, were it not for the fact that the faculty knew they had some protection. Tenure is a very important form of protection.

II. Summary of Arguments For and Against Tenure

Pro: It makes a hiring decision serious enough that it is taken seriously; if we hired people for short periods of time, it might be done much more casually.

Pro: It is because of tenure that faculty salaries are so low. The tenure system, a major benefit to faculty, makes it possible to recruit people with the same sort of long-term educational preparation and the same sorts of talents that law firms and medical practices do, and for which they pay much higher salaries.

Pro: Without tenure there would be, in many fields, a MUCH greater reluctance to express ANY views about a lot of subjects. If the burden were on the faculty member to prove the acceptability of what they were saying, or if it were possible (under some kind of rolling contract or non-tenure system) to get rid of a faculty member who causes static, there would be pressure toward mediocre, say-nothing-at-great-length teaching.

Pro: It protects freedom to do research. Enormous pressure from outside can be put on the faculty member; it can also be put on the members of the administration and the Board of Regents to get rid of the faculty member. Even though their hearts might be in the right place, without tenure it would be much more difficult for administrators and regents to stand up for principles they believe in.

Pro: Tenure permits resistance to mandates to teach to certain standards, to have pre-tests and post-tests. For liberal arts fields, this is extremely complicated; the idea of setting up a standard that locks in whatever is taught--EVEN if it is an accurate representation of the current state of a discipline--is a problem because tomorrow there will be something else learned, but not in the test.

Pro: People will have "tenure" one way or another. It is difficult to fire secretaries. It is better to have people go through five years of review of prospective tenured faculty--on the assumption that after five years they cannot fake it--and promote them and give them academic freedom.

It provides a way to do very serious evaluation of personnel; it serves a gate-keeping function. It is easier to fire people under a tenure system than under a non-tenure system. Under a typical union contract, or with civil service appointments, there is a six-month probationary period and then "tenure." Under the tenure system, there is a much longer system that people can be fired, so that across the average lifetime of faculty members, they are more vulnerable longer.

Pro: Faculty will reconsider whether they should express some scholarly opinions unless they have tenure. At the same time, this can limit mobility: other institutions are less likely to hire controversial faculty. The home institution needs to be loyal to faculty if they are expected to be willing to make public statements of controversial scholarly views.

Pro: It protects individuals involved in long-term research from internal pressures. What might not bother a legislature might bother a dean, or might bother peers who do not judge that a particular set of investigations are at the cutting edge. Deans may believe they KNOW what appropriate research is, and may tell faculty, "your research is inappropriate," even though it is appropriate for the field. Or people may not be supported by their institutions because their work may not be supported by external funds.

Pro: It protects individuals when donors may donate large amounts of money and then look askance at some research or a faculty member--and threaten to withdraw funding unless that person is fired.

Pro: The real importance of tenure has to do with society: societies need to have people who can speak in an unbiased fashion. If society does not believe in tenure, it will do away with it. It has an enormous positive social benefit.

The University's value to society really has to be defined; it cannot be uncoupled from the question of tenure. If the University is going to do the same thing that businesses do--and that businesses do more efficiently, probably--then there's no excuse for universities to have a tenure system. The only argument for keeping tenure is that the University is somehow performing something for society that other profit-generating corporations cannot. One of the things that other places CANNOT do is provide some less biased type of resource, less biased type of scholarly research than one can get by contract. The University needs to be presented to society as a place where one can uncouple the results of research from who's paying for it.

Pro: Tenure helps faculty move from a short-term, self-interested set of strategies aimed at rapid publication to being able to be more comfortable with certain kinds of teaching or advising obligations, more comfortable when advising graduate students, more comfortable with service.

In research, tenure permits work on topics that have a long-term pay-off or that may be more risky.

Pro: Young Ph.D.s in Australia were affected by the copying of the English abolition of tenure. They were living on one-year and five-year contracts and could not focus on ANYTHING, because they'd get one job that would be completely different from the last one. They were moving all over the country, and finally they left higher education.

Pro: One side effect, if tenure were ever abolished, would be that people would put MORE AND MORE of their effort into research, which is what gives them mobility. People think of tenure--because people who don't like research also don't like tenure--as something that

enhances the importance of research. It isn't.

Pro: Tenure is something like the Miranda ruling. The Miranda ruling has a lot of problems with it, but it's to protect that rare individual when it cannot be predicted that the person will need it. It's a rare instance at the University when somebody really NEEDS that protection--but one never knows who will need it, or when.

Con: It protects incompetence or malfeasance.

Con: It makes institutional change difficult because much of the institutional budget is locked into personnel, and personnel are locked in by tenure.

This is also a problem of public perception. It is not so much concern about competence as it is about the lack of institutional ability to shift activities. The perception is that tenure enables people not to shift to areas which would most benefit the public good.

Con: It allows tenured faculty to stop working as hard as they did before they got tenure.

Con: An aspect of tenure that is a problem, although not tenure itself, is the process of challenging the behavior of a tenured professor, and the process of a faculty member challenging a decision not to grant tenure; these processes are extremely burdensome.

It's really hard to deny tenure to someone who wants it, if one sees how these things go through the Judicial Committee. It can be very hard to remove someone--for cause or for lack of productivity and skill in teaching. The Twin Cities deans all lack confidence in their authority to deal with the non-productive person. There is almost a fatalism about it, that there isn't much to be done.

There is a sense that this isn't about academic freedom, or anything quite that lofty; it is more about how people spend their time. If they are not spending their time in ways that are productive for the unit, deans or department heads are frustrated as to what to do. It really doesn't have much to do with academic freedom.

Con: There is a concern on the part of the public about a lack of accountability in universities, and a lot of misunderstanding of what tenure is about. There is a perception that if institutions are not accountable, not doing the kinds of things that are helpful to our constituents, that there is something wrong, that tenure is something they are hiding behind.

Con: Tenure is one thing academics have that very few other people have, or at least that is what people think. Therefore it immediately brings out--especially in Minnesota--a sense of "elitism." Somebody has this particular entitlement that people who work in a bank supposedly do not have.

This entitlement is also seen as a form of arrogance. The arrogance, which some of us would call academic freedom, is the right and the obligation to speak out as we see it. This is

interpreted as a form of arrogance.

Con: It is said society needs tenure so that faculty members can say what people don't want to hear. Then they don't like hearing it, and they want to get rid of the faculty members who say it. How can we expect society to like that?

Con: We haven't had much courage in dealing with the problems of tenure.

III. Summary of Points on How to Deal with Issues of Tenure

1. Better define tenure, its social benefit, and take steps to explain it clearly to the public (locally and perhaps through NASULGC)
 2. Changes in rules covering faculty searches and appointments.
 3. Better ways to encourage faculty development for those in mid-career.
 4. Reconsider the ways faculty can be reassigned if their unit is eliminated.
 5. Reconsider whether tenure is held in the institution rather than the unit.
 6. Lengthen the probationary period.
 7. Establish post-tenure reviews; uncouple tenure and rewards.
 8. Reward departments for team results.
 9. Reward efforts that contribute to the common good.
 10. Redefine scholarship and the criteria for obtaining tenure.
[There is considerable overlap between 8, 9, and 10]
 11. Consider term limits.
 12. There are not enough awards and recognitions.
 13. Consider a portfolio concept of individuals.
 14. Termination of tenure by phased separation.
 15. Change, incompetence, misconduct.
1. We need to be very sure that we have a clear definition of tenure and are able to explain it to the general public.

What we might want to do is be more aggressive posture about "what is tenure" to the public, and why it's necessary, and to take more responsibility as a faculty collectively. Instead of publishing things in NATURE, there should be articles in the Star/Tribune and a variety of other places that have more salience.

There is a resentment of all forms of employee unions on the part of people who work for an organization like IBM or ATT or a bank, places that have gone through major commotions. The University has to acknowledge this lack of sympathy, and must redouble its efforts to explain that tenure is a great social benefit to them. Not to the individual faculty members.

The articulation of the reasons for tenure is a national issue. President Hasselmo, as president of the National Association of State Universities and Land Grant Colleges, might inquire if that would be an organization that wants to address the reasons for tenure.

2. The administration could help by allowing searches to not be filled and letting them be re-opened.

A department that votes not to recommend a faculty member be given tenure worries that it would never get that position back. First, the department wouldn't get the position back; second, if the department did get it back, it wouldn't come back to the same field. (That is more a management deficiency than it is a process or procedure deficiency. A dean who is a good manager will say "the LAST thing I would do is penalize you for turning this person away by taking this position away." A dean may take an empty position that results from retirement or resignation, but NEVER one of an assistant professor who doesn't make tenure.

What departments may also want to do, if they have a position, is take the money and for a period of time bring in visiting professors. That is, not even put anyone on a tenure track at that point. At this University there is absolutely no mechanism by which that can be done. Departments are lucky to get the money back, and are FORCED to start a search.

3. We need to take VERY seriously the issues of faculty development of mid-career people. We don't have very good ways of nurturing and nudging. We DO punish people. If you look at the salary structure, we punish people who are not productive. We do make the delivery of education as a whole much cheaper because there are people who have guaranteed lifetime employment at very low wages. But they are not productive scholars, and they vary a lot in how productive they are as teachers. That is an issue that needs to be taken on by the institution, because these are people with promise, people who wouldn't be there if they hadn't had potential, and in many cases they are basically depressed.
4. The tenure code allows the elimination of units. But if a unit is to be closed, the faculty have to be placed elsewhere. There are innovative ways that that can be dealt with, such as putting people into other areas or becoming a provider of teachers of X across the country. You are the residual employer, but you put people on offer, you put their services out, on a contract basis, to other universities that want it.
5. It may be necessary to reconsider whether or not tenure is held in the University, rather than in a unit, so that if a unit is eliminated, the tenured faculty in that unit are terminated.
6. The seven year probationary period is not long enough; the University has a five-year system, in effect. You have to have everything ready by the end of the fifth year.

One movement is to stretch out the probationary period at some institutions. Both MIT and Michigan have both gone to a separation of rank decision and tenure decision. The tenure decision comes at something like ten years or more. In the Medical School it is now nine years now (nine plus one).

The practical effects are that there are fewer tenured people in the institution, so you have

more flexibility, and there is more evidence, so presumably only those people who are clearly appropriate are tenured--in the sense that they have CLEARLY demonstrated a certain level of performance. There is less uncertainty and fewer mistakes.

There is also a benefit to the untenured faculty, because the evidence IS better. So one bad year is one-tenth of the evidence, rather than one-sixth.

(At least in some fields) by the time a department gets an assistant professor, that person has already had up to four years of postdoc work, so six years to tenure is really looking at ten.

Young faculty are not willing to turn their research interests away from what they had done as either postdocs or graduate students until they know they are going to be here, with tenure. A longer probationary period would focus young faculty's research and scholarship on sure things. And "sure things" are boring, are not cutting edge. Part of the point of giving tenure is letting them get on with trying out some really chancy ideas. They're going to take a hit if it doesn't work out, but a longer probationary period will trivialize research. To drag that tenure decision out, especially when so many of the faculty coming in as assistant professors are already well into their 30s, will hurt freedom of inquiry.

The longer probationary period is something that junior faculty often support. A lot of the junior faculty feel that the clock is too short. Many do NOT come in with three-year postdocs; that's VERY specific to the discipline. As more and more women enter academia, and as more men take equal responsibility for their families, children are an issue, which makes the longer tenure clock fit with the ethos of the future.

At present there is a sense that "stopping the tenure clock" is something dishonorable. What this discussion suggests is that stopping the tenure clock might be good for the University as well as for the faculty member.

There needs to be a clear understanding that a longer period does not mean everyone has to wait ten years; junior faculty could be granted tenure after a shorter period.

One reason not to lengthen the probationary period is that the University doesn't do a good job with people who AREN'T very good, so they'd be in the system longer. It would also tend to drive faculty toward scholarship and away from efforts to contribute to the common good; the University cannot miss out on collective contributions from those faculty for that long a period of time.

There are some problems; one that might arise is the problem of recruiting. If the University wants to recruit very good young scholars here, they're going to look at our probationary period, versus another part of the country that has a shorter period, and probably choose to go to the place with the shorter probation.

7. Is regular evaluation and review of tenured faculty happening, aside from merit decisions?

Does it happen in some units? Reportedly, at Madison it is felt that post-tenure reviews were more pain than they was worth--that in TQM parlance, it's exactly the sort of thing you SHOULD'N'T do.

This is the idea of formal, regular five-year reviews of tenured faculty, with outside letters and so on. Tenure is not on the line. It is just a more elaborate review, periodically, than the annual review. If there are no punitive consequences, it's just relying on peer pressure, or it could affect salary.

The University doesn't have in place even the most BASIC procedure to begin to doing some kind of peer review of post-tenure faculty. It could be a fairly simple, straightforward process, very similar to the process for untenured faculty.

The significance is "a review for what purpose?" The implication here is that at SOME point, such a review would have effect of challenging tenure. THAT kind of review does not exist; there are annual reviews, but there's no presumption that at some point this series of reviews might trigger a more SERIOUS review, in which the same people who granted you tenure could now perhaps take it away, with some significant termination period. The possibility of losing tenure would focus a faculty member's mind on the review.

There might be more of an uncoupling of tenure and the reward systems, so that tenure itself is not challenged much more than it might be now, but that it's made clear to people outside the University that the REWARD SYSTEM is more flexible and more in line with what that person is doing or not doing in their department. The reward system doesn't appear to be very tightly coupled to performance. There are tenured older faculty members performing less well than untenured faculty but who are making three times as much money. Everybody expects their 3.5% or whatever the rate is that year.

For work you've done in the past, you get a certain amount of money, but that's not tied in to the notion that you get 3% every year. It is a bonus system. At the end of every year, just as in corporations, if the whole department did well that year, the department has a bonus pot that it can then subdivide among the department members.

8. Consideration should be given to reward structures (not only financial) which would, at least internally, recognize departments. Departments would get some benefit from the fact that its faculty are sitting around this table on behalf of the University. If that were done, it is not so much that individual pay would benefit, but the teams would. There would begin to develop more of a sense of working as teams within an organization, and that those teams would benefit from what benefits the organization as a whole. Eventually it would also help individuals in the department feel themselves more a part of a collective effort.

There is a need to get more balance in rewards. A good way would be by an "unbundling" concept. That has to do with this business of trying to instill this sense of community, the sense of communal effort. The department is the best unit for this to happen. It

would help to disperse at least some portion of the financial rewards that are under the University's control to the departments collectively, for the department's collective contribution to the University, a team reward system. This could be done with salary funds or with the other things that deans disburse, such as supply budgets or travel money. Departments which had distinguished themselves collectively, in research and teaching and community contributions, would be rewarded by the dean. That would mean that to the department as a whole, all of whom were benefiting, they would see that somebody within their department who had contributed--in fine teaching, or in helping the University, or in helping undergraduates do well by being an excellent director of undergraduate studies--that that person had brought rewards to all of them, which they themselves were sharing. So it would become true, whatever the rewards were--it wouldn't even have to be monetary, some of them could be symbolic--that everybody in the department would feel that it was important to them that that other faculty member was serving as director of undergraduate studies. Over time, if that were done, the University might begin to re-establish some of this culture of cooperation and of valuing each other's efforts

9. To solve the paradoxical problem of becoming as nimble an organization as possible is going to take something more dramatic than small changes. One very broad is the suggestion that we need to find ways to reconstruct the culture to being one in which it is what you are doing for the whole institution, rather than just for your discipline. Two places that have done so, that might be examined, are Agriculture and Education.

There is much more a sense of "the good of the order" in organizations outside the University than there is in the University. Faculty tend to behave as a number of people who are held together by a common zip code and not much else. There is no sense of doing things for the good of the order, because the reward structures are not REALLY reward structures that are University of MINNESOTA reward structures; they are reward structures that are professional. Therefore faculty are going to do things for their discipline and not for the good of the institution. One thing that will help resolve some of the problems being talked about is to try to concentrate on how to encourage people to do things because it's for the better good of--maybe not the University as a whole, but the liberal arts as a whole, I.T. as a whole, whatever.

Faculty must not feel they are taking a step into the great abyss if they are going to do innovative teaching or reorient their work and further change. People must be promoted and patted on the back for doing that. We tend to say, when all those things are said and done, "yes, but how many articles have you published this year?" When you say that, the focus will be on the narrow discipline. The University must reward people who are willing to reduce productivity in a scholarly way, probably reduce productivity in a teaching way, in order to accommodate and facilitate change.

(Were it not for tenure, that contribution would be ZERO. Tenure is something that makes a great deal of this contribution possible. To the contrary: if it were not for tenure, this contribution would be considered a contribution to the general overhead, and the faculty member would be recorded as being productive.)

The University needs to disconnect some of its reward structures--including financial rewards and some other kinds of rewards--from the more traditional criteria, like scholarship, and connect them instead to contributing to the good of the order. It's only a question of how much you pay. Generally we have tended to have a very rigid view of what is to be rewarded in universities. Here we've got some needs that we've got to meet, and we ought to pay people to do them. In dollars, gold bond stamps, gold stars, pseudo-ranks or whatever. (Why are there so many vice presidents in a bank?) It's mostly a case of creating a situation where people can be successful, and be recognized by their colleagues as being successful. And recognized by the institution as being successful.

There are a lot of these things that the University is simply going to have to pay for, as is true in the larger society. It cannot, any longer, count on the goodness of heart of faculty.

In terms of the economic reward system, the University might think about a change--this would be a dramatic change--to an internal accounting system, something like that in a law firm: we note the various functions that faculty do, and we have in effect internal billable hours. And external billable hours, such as providing service to citizenry in the state. It's possible, if those billable hours went to the department, that over time people in the department would begin to appreciate all of the different things that they are doing, and that you would begin to build up that culture. Although that's going to be a slow process.

(What is being described is fee for service. An important part of the idea is that the reward goes to departments, not the individual.)

This "fee for services" and "pay for this space you have" and all that just leads to more competition and will detract from interdisciplinary work.

There are higher levels of collegial interaction in outside firms than in the University. The reason is that people are not hesitant to go to another individual with a problem. It's going to take a quarter or a half a day of time, but that quarter or half day is going to be appropriately rewarded and recognized. In the academic community, BECAUSE of the way the reward structure operates, until faculty become contributors of the magnitude of a co-author, they are at best recognized in a footnote, which is worth absolutely zero to their ego or anything else. So there is a reluctance both to ask and to perform--and one is much more isolated in what is theoretically the collegial environment, and much more tied together in what is the theoretically the competitive environment, because of these much more minute kinds of recognitions.

10. Some of the things laid on the tenure system as being problems--the inability to get rid of incompetent faculty, the inability to be flexible, and perhaps not giving proper credit for interdisciplinary activities--are all things some feel that tenure is prohibiting. This is related to the issue of how we measure scholarship and the criteria we use for evaluating tenure. If there are problems with people feeling at risk in making tenure, or problems with people not being willing to shift into new areas, or problems with not

able to work in an interdisciplinary fashion, then maybe we ought to look at how we measure scholarship as it is used to move people through the tenure process.

Whether it's measuring scholarship or simply rewarding contributions to the system are different ways of saying the same thing. Measuring scholarship is the more formal way of saying it.

Categories of scholarship should not be muddled. If we are a research university, then there are issues about what research is and what scholarship is that don't need to get muddled up in order to say we also have other things we want to reward--and to reward them well, and in ways that are not only financial.

It would be foolish for any institution to think that it can establish an incentive system that is significantly different from the one in the larger society in which it is embedded. We can decide to define things that we are going reward, but the highly competitive external world will recruit faculty, and people will just leave.

There is implicit in this the idea that research is being over-rewarded and other things under-rewarded, and that the external markets force us to reward research. It is very proper that research is rewarded very heavily here, because of the various things faculty here are supposed to do--research, teaching, service. The University has a lot more good teachers, and the average quality of the teaching is better than the average quality of the research. It is harder to do research, and to continue doing research in the face of all the things that work against it. External markets are going to force us to reward researchers, both monetarily and also with prestige. The University should probably devote more of its local resources to the other things it expects from people--while still being quite content with the fact that external markets force us to give greater prestige and financial rewards to people who are productive scholars, because that is the most difficult thing to get out of any faculty.

The University's competitive advantage or distinctive competence is that it is, it aspires to CONTINUE to be, a major research university. Research is the primary coin of the realm.

If the University wants to encourage teaching and service, not only does it have to change the reward structure so that those things are at least rewarded as much as research, they really have to be rewarded MORE THAN research. The reason for that is that schools do not seek other faculty members because they are great teachers or good citizens. Faculty do not increase their mobility with anything except research.

11. The European system gives you a professorship from roughly ages 45 to 65, at the maximum twenty years in office. What the American system does is give you tenure from 30 to 80, fifty years in office. Maybe there is a need for term limits.
12. We don't recognize colleagues and faculty members; we don't pat each other on the back.

13. The discussion is coming close to the portfolio concept of individuals. There is a general presumption that faculty are very homogeneous and they all come with about the same character and they have the same "renaissance person" quality to them. But that isn't really true. Yet we don't ever acknowledge this notion that a portfolio might be the most efficient.

The University needs to recognize a kind of division of labor, collectively, and also recognize that different people at different times in their careers are doing different things.

14. Many universities recognize the AAUP standard, which recognizes the permissibility of change. One of the collisions that went into the development of tenure was the notion of lifetime tenure versus the insistence that programmatic change should lead to dismissability--and dismissability should be on, at maximum, one year.

The University may need to explore something like a three- or four-year transition arrangement.

At least it gives an opportunity for the faculty member to adjust, maybe to other things within the institution. When many faculty members put their intellectual investment into rather esoteric things, which they might not otherwise be encouraged to do, it may be appropriate to have rather more extensive phase-out periods, maybe with no institutional obligation during those periods, when the University makes a bona fide change. "We'll pay you for three years and we will not expect you to teach."

There are positions between the two extremes of lifetime tenure versus dismissability. One of those positions might be that someone who has put in an investment is entitled to--and to some extent the University has come to this with the termination agreements--one month's pay for every year of service, or whatever. With a limit, or maybe NOT with a limit. If you're going to have programmatic change, that would be saleable; having it be "oh, administration decides it goes; it's gone," it's NOT going to be saleable.

What is needed is to engage in an internal discussion that is going to bring about disciplined behavior and the assumption of more responsibility on the part of peers. The perception that exists out there is that the system is so inflexible that people will not take responsibility for it. The deans have thrown up their hands.

It should be the faculty themselves that bring about the kind of pressure that will induce people to leave, in addition to or short of discipline and dismissal. But there has to some form of discipline to short-cut the criticism from the outside, that tenure leads to irresponsibility.

15. There are three separate problems with tenure to be dealt with. One is misconduct; the second one is competence or minimal competence; the third is change.

Change: the University has people have who are very good at what they are doing but we don't need it anymore.

Misconduct: misconduct cases are horribly, horribly complex. There are things that could be done in terms of simplifying and accelerating those procedures.

Competence: this is the core of the problem of tenure protecting people doing certain things and they're minimally competent. These are faculty who are five or ten years out of date. How do you deal with that, particularly in an era of no retirement? There will have to be a change in the salary system, so there are other incentives and perhaps with a base-plus-augmentation, where the augmentation goes up and it comes down. As some faculty move into their 70s and 80s, they may still be very good, but they may not be as good as they were when they were in their 40s and 50s.

IV. Other Points, About Tenure and Other Things

- Even with tenure, faculty may decline to teach certain courses because of the controversy that is generated.
- Candidates for tenure do not want to teach particular courses because it would require the exposition of issues that would probably stimulate controversy among the student body that would affect their teaching ratings and, therefore, impact on their tenure candidacy.
- Academic freedom and tenure should not be confused with an appropriate public role in deciding what areas the University will work in. The public has a serious and reasonable interest in that.
- It must be remembered that the University exists in a larger marketplace.
- Tenure brings some problems with it; they can be addressed, but not eliminated. If the University did its very best to address the problems, there would STILL be the fact that tenure is very difficult to explain outside the University.
- Even if the importance and good of tenure is rationalized, in terms of social welfare, there's yet another question, which is "not is it good in some instances," but "to what degree does it have to be present, or should it be present, in order to meet this social need or social good?"
- Having incompetent faculty cannot be put to the door of the tenure code. It can be put to the door of people who will not ENFORCE the tenure code, or to civil courts.
- One big problem, in making the tenure decision, is that we can't get honest letters of evaluation from the scholarly community because of our sunshine laws. Nobody will write a letter.
- Tenure does not deserve all the blame for the supposed inflexibility of the University and its inability to eliminate units. The REAL barriers to institutional change is that virtually every part of the University has a political base in the state which will protect it from

change. That's what REALLY keeps change from happening at the University of Minnesota. It's not because people are worried about the difficulty they're going to have dealing with moving tenured faculty around, but because virtually every change that has been proposed has provoked a firestorm of protest. Yet the rest of the people in the state don't think of that as the state having prevented change happening.

- In the last ten years there has been dramatic change, as industry after industry has restructured, and there IS not the kind of security that faculty now have with tenure.

People are envious of what they see as the kind of protection faculty have, and they immediately transfer that into "higher education needs restructuring, and it will not be able to." It may be that tenure is not to blame.

- The group of people that is most bitter and outspoken on the evils of tenure is made up of those people who one would have thought were higher education's friends and supporters: the officers of foundations, of eleemosynary organizations, of the National Science Foundation and NIH. It is very bothersome when our friends, and in many cases our spokespersons, wind up being the ones that are making the strongest and nastiest comments about tenure.
- It is necessary to fix the problems with deliberate speed, because of the threat to components of the University, especially the Medical School and associated units. They are under tremendous strains and stresses, and some would pitch the concept of tenure overboard. They could do it more easily because of the involvement in clinical activity, the professional orientation that allows them to move from the University to the private sector.
- One finds most people these days talking about their sub-discipline rather than their discipline. One is shocked about how unhappy people are about a search because it's going to be in one sub-discipline rather than another. That's absurd.
- The values of society are changing rather substantially. Society isn't looking to the universities as the research Meccas that it once did. Internally, in our own internal marketplace, we have valued research very highly; the external society is coming to value that less and less. That trend does not have to continue, but it will be a fairly wrenching kind of shift for universities. When people are providing the University with resources, perhaps for better teaching, it will be straining internally with what, historically, it thought was its major advantage. This is highly interconnected; good research leads to good teaching and good service. But the UNIVERSITIES created, in a large sense, the value for research. In some ways, and particularly for major PUBLIC institutions, the state subsidized it very IMPLICITLY, not explicitly. And it isn't clear it will continue to do so.
- Will society start turning to other sources for education as well as research? With all of the technological advances, one can sit at home and obtain pretty decent instruction. And that's only going to get better. Where does the University fit into that? There will be a

huge shakeout in the teaching arena, in terms of who can deliver what teaching modules to what students.

The answer to the question about where the University fits in is that University faculty give lectures because they are active researchers or in the research network on that problem. That means that they have to hire the faculty again--if one is a researcher, at the top of your field, in the network. If one is down in the lower division, teaching out of a textbook that is obsolete the day after it's published, and just doing the routine thing, then somebody can duplicate it very easily. But not if you're in the forefront--and that's where the University of Minnesota has to fit in. Research and teaching really do go together; that is the University's future. But we have to educate the public about this.

- There's always going to be a Yale, there's always going to be a Harvard, and the reason they're Yale, Harvard, Princeton, and so on, is because they have the researchers and they're always going to be valued. The issue that there isn't time to talk about, but that somebody should talk about, at some point, is the growing discrepancy between public and private education. Yale and Harvard and the other good Ivy League schools are always going to have tenure, too, or some form of it, for a good percentage of the people. What is at risk in all of this, is public education and universities like Minnesota.

There is obviously going to be a very fluid, electronic, very available network of intellectual products in teaching and research. The fact one can do that anywhere doesn't mean it will be done everywhere. There will be neighborhoods where there will be groups of people who stimulate each other, continually upgrading what's available, and people are going to look to those neighborhoods for what they want to get.

But there don't need to be as many of those neighborhoods as there are right now; the natural places for those neighborhoods to form up are around San Francisco, the Boston-New York area, around Atlanta, and some other possibilities. It is not at all natural that even one of those neighborhoods will be in the Upper Midwest. This is why we really do have to get going now and have a pooled effort.

It's also going to get worse. One could guess that within five years, there will be an advertisement on CNN saying "if you would like a really excellent Econ 1 or Psychology 1, we will send you a CD-ROM or a set of video tapes for your VCR, with a superb lecturer, with good materials well organized, plus you will have up to five hours of consultation over our 800 number with a pool of graduate students who are ready to give you personalized, individualized instructional help, and we've made an arrangement with the publisher of the textbook to sell the textbook to you for half price. And we will sell you this for \$110."

No university, including MIT or Minnesota, is going to be competitive with that. The University's comparative advantage is going to be in what we offer, which is niche undergraduate education: the sorts of things that will probably not be done through CNN, which will be the 3000, 5000 level courses, the special kinds of introductory-

level courses, for students who need special help, and introductory level courses for minorities, enriched introductory courses with hands-on work with professors, plus graduate education and research and the production of a neighborhood like this.

No; that identified every high-cost program the University offers. High cost per student, programs that it will not be able to fund. The place the University has to compete is to become a VENDOR of these courses.

The institutions that will be KILLED by this commoditization will be the community college system and the state university system, which will not have another niche.

The other group of institutions that may not go down under this are small liberal arts colleges.

This vision of commodified education takes what we used to do, and still deliver often, in the massive, talking head in the front of the huge auditorium, only now it will be a talking head on a disk or a video program. With potentially more interactive kinds of things. But in neither case, is it pedagogically wonderful. The way we've been trying to revamp lower division undergraduate education is to get more interaction. The thought of freshmen, all sitting alone at home watching their VCR or looking at their CD-ROM, doesn't seem to be something most 18-year-olds want to do. There are other things that need thought, such how education is delivered in ways that are dynamic and active and with people being in a room together. And also use these technologies. But the vision of the technologies being used by isolated individuals in isolated homes, never coming together. . . .

It is at the lower division, introductory level, where courses ARE commodities. People can take Physics 101 or Econ 101 at a community college, and get much the same thing they would at the University. That doesn't mean that these sorts of courses, or video disks, can take the place of the upper division, and certainly not the Graduate School.

- The MOST distinguished universities have tenure, and they have non-tenured faculty members. But the two groups don't ever overlap. The assistant professors are in a rotating door policy.

-- Gary Engstrand