

Minutes of the Meeting of the Faculty of Arts and Sciences April 3, 1990

Dean Lutzer called the meeting to order at 3:33 p.m. in Rogers 100.

The faculty approved the minutes of the meeting of March 13, 1990, with these corrections:

- p. 1 The minutes approved were from February 6, 1990, not December 5, 1989.
- p. 1 "when" (4th line from bottom) should read "win."
- p. 4 Add after "...faculty meeting", under *Revised concentration requirements in American Studies*: "The revisions included two references to 'advanced' courses."

Announcements

Dean Lutzer announced that he would make no announcements. Also, neither the President or Provost could be present, so there were no Reports of Administrative Officers.

Committee Reports

Nominations and Elections Committee

Mr. Kiefer presented the names of nominees for the Academic Status Committee (2 three-year-term positions), the Educational Policy Committee (3 three-year terms), Chair of the Educational Policy Committee (1 position), the Committee on International Studies (3 three-year terms), and the Procedural Review Committee (2 two-year terms plus two years as an alternate). For each election, Dean Lutzer asked for additional nominations from the floor before receiving motions that nominations be closed. Later in the meeting Mr. Kiefer reported these election results:

Academic Status: J. Funigiello (Modern Languages), L. Leadbeater (Classical Studies)

Educational Policy: R. Beck (Biology), M. Houle (Modern Languages), R. Prosl (Computer Science)

Chair of Educational Policy Committee: D. Ventis (Psychology)

International Studies: G. Greenia (Modern Languages), T. Hamada (Anthropology), R. Saint-Onge (Modern Languages)

Procedural Review: J. Harris (Philosophy), S. Knudson (Chemistry)

Faculty Affairs Committee (FAC) and Faculty Assembly

Mr. Selby reported that FAC met three times since the last A&S meeting to discuss budgetary matters and A&S concerns regarding the revised Faculty Handbook. FAC was also asked to look into a reference to salary supplements for professional-school faculty in Delegate Grayson's recent letter to his constituents. Mr. Selby explained that the reference was to a change that allows professional-school tuition increases to be matched by state funds in the same way other increases are matched. FAC was not able to determine if the increased revenues would be used for faculty salaries.

The Faculty Assembly adopted a series of resolutions regarding tenure-ineligible faculty and heard reports from its Asbestos Hazard Advisory Committee. (The asbestos committee is now consulting with the Administration regularly, and the Administration has agreed to hire

an external consultant to advise on priorities.) Regarding the revised Handbook, the Assembly adopted a 1987 AAUP statement on professional ethics and referred to the Affirmative Action committee for review a proposal that the professional-ethics statement be expanded to cover "amorous relationships."

Ms. Wilson (the student representative) asked if the asbestos consultant had been hired; Mr. Selby did not know. Asked by Mr. Tiefel to reflect on the matter of salary equity between A&S and professional faculty, Mr. Selby said the argument that equity boosts faculty morale has been less persuasive to legislators than the argument of the market place.

Other Business

Discussion of Midprobationary-Period Review Proposal

Dean Lutzer reviewed the history of this proposal: In 1988 and 1989, probationary (tenure-track) faculty have overwhelmingly recommended to the Dean that they receive a midprobationary (third-year) review by their departments. A proposal to that effect was developed and revised by FAC and the Retention, Promotion, and Tenure Committee (RTPC) over the past six months. The proposal was then taken to the Committee of Department Chairs, some of whom were initially skeptical about whether a new procedure is necessary to do what departments presumably do already. The chairs endorsed the proposal after a straw poll revealed that only a third of departments do annual reviews beyond what is required for merit evaluations, and barely half do annual or three-year reviews. When Dean Lutzer announced at the December 5th faculty meeting that interim evaluations of probationary faculty were likely to begin next fall, Mr. Winter expressed concern about the plan and said he hoped there would be opportunity for full discussion of it by the faculty -- hence the present discussion.

Explaining the proposal in more detail, the Dean said departments may design their own review procedures subject to the following guidelines (which were summarized on a handout):

- a) Review occurs in middle of probationary period.
- b) Review assesses progress toward tenure in light of Faculty Handbook criteria and suggests changes or improvements as needed.
- c) Review report may not promise eventual tenure.
- d) Report to be reviewed and approved by all tenured department members.
- e) Probationary faculty member has right of rebuttal.
- f) Review and rebuttal forwarded to Dean who sends comments to department chair and faculty member.

Existing programs need not change, Dean Lutzer added, if they comply with the guidelines.

During the lengthy debate that followed, faculty members argued for and against the plan in roughly equal numbers and made a number of suggestions for revising it. Dean Lutzer simultaneously moderated the debate and defended the proposal. In the end, the Dean thanked the faculty for providing valuable ideas and advice, and said he would refer the matter to FAC for further discussion. (A side question that arose during the debate was whether Mr. Winter himself would receive tenure in today's competitive academic

marketplace. The consensus was that he would. Indeed, there was much greater agreement about Mr. Winter's scholarly credentials than about the merits of the proposed interim evaluation plan.)

The following points and counterpoints were made during the debate:

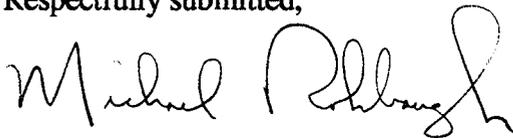
Mr. Monson: Guideline D seems cumbersome; is it necessary? Dean Lutzer: Many departments have rotating personnel committees; this will insure review by the entire department. Mr. Funigiello: Will a report be later sent to RPTC regarding tenure? Dean Lutzer: Not necessarily, but one could be requested by RPTC or by the faculty member. Mr. Funigiello: Shouldn't procedures be consistent? Dean Lutzer: The current practice is equally inconsistent; sometimes RPTC this information, sometimes they don't. Mr. Funigiello: In the interest of fairness, there should be consistency of evidence for tenure decisions. Dean Lutzer: Evidence can be requested when there is a dispute; furthermore, tenure decisions should be based on a faculty member's cumulative record at the end of the fifth year. Mr. Johnston: Couldn't RTPC simply ask for interim evaluations if they want them? Ms. Houle: The purpose of the interim review is unclear if important information is gathered but not included in the tenure review. Dean Lutzer: Performance in the first and second year may not be relevant to the tenure decision. Mr. Willis: The purpose of the review should be to help the candidate, but this proposal adds the weight of formality, approximating a contract, which could work against as well as for the candidate later. Unlike Yale, we tend to tenure because we recruit for tenure. Dean Lutzer: Anything written can be called up at tenure time. Probationary faculty have themselves requested this procedure; formality is built in to protect against contractual interpretation. Mr. Willis: Suppose a department writes a negative interim review that specifies goals for improvement, which are met, but RPTC recommends against tenure. Dean Lutzer: If a dean were foolish enough to sign such a review we would have a problem. Even spoken contracts can be binding. Mr. Winter: Mr. Willis' discomfort with overformality is well founded. In addition, the proposal presumes we have consistent standards for tenure, yet institutions are in flux and need room to maneuver in seeking the best candidates. Mr. Eckhause: There is no evidence that documentation increases the probability of litigation; in fact the opposite may be the case. Even when a midprobationary review is negative, documentation may help a department convince RPTC and the dean later that improvement has occurred. Ms. Ventis: We should put ourselves in the position of probationary faculty, who want the review. Also, the market will change and the feedback will help us have faculty we want to keep. Mr. Welsh: Regarding litigation, there have been few cases of tenure decisions being overturned on less than egregious grounds. Mr. DeFotis: How common is this kind of program? Dean Lutzer: Most universities do something similar. Mr. DeFotis: Formal documentation may be an impediment in cases where performance is not sustained; annual reviews are probably enough. Is it really true that probationary faculty don't know what is expected of them? And if expectations are defined very specifically, is there a danger candidates will tailor their performance to the criteria? Ms. Ventis: That can be a problem with overly specific merit systems (like psychology's), but probationary faculty need to know what performance is expected relative to other faculty, as well as the relative importance of teaching, scholarship, and service. Mr. DeFotis: That sounds rather general. Mr. Becker: It is reasonable to be uncertain about general statements and informal remarks from colleagues, especially when they conflict. But will guarded, indeterminate responses become the norm for this review? The need is real, but meeting it will require candor. Mr. Fuchs: Guideline D is ambiguous; must approval by tenured faculty be unanimous? Dean Lutzer: No, the statement should be reworded to indicate that a majority would suffice. The philosophy department's requirement for unanimous approval is unique. Mr. Schwartz: We have traditionally let departments decide who to include in the review group (e.g., non-tenured faculty). Should the wording here refer to "the department's review group"? Dean Lutzer: No, the intent is to avoid situations where a small number of faculty makes this decision. Mr. Schwartz: But is it consistent to exclude faculty who will be

voting on tenure? Dean Lutzer, echoed by Ms. Ventis: The guidelines do not require excluding anyone. Mr. Finifter: While the midprobationary review is not binding, it is informative (a virtue). Mr. Ward: Traditionally there have been two products of a third-year review: informal feedback to the candidate and a formal retention decision. The new procedure merges them. Dean Lutzer: Yes, and (formal) non-retention recommendations are treated like tenure recommendations. Mr. Friedman: The procedure would help to identify and remediate poor performance. Dean Lutzer: Yes, if deficits are found, the report should include recommendations for improvement. Mr. Johnston: Everyone favors giving feedback, but we disagree about how to do it. Because an informative report is likely to be critical, there is reluctance to send it to the dean. An alternative would be to keep the procedure informal at the department level and not involve the dean; the probationary faculty member and the department chair could simply certify to the dean that the review has been done. Mr. Finn: While the new review plan reflects "commendable instincts," we seem to be enacting a mini-tenure procedure. Mr. Rublein: It may help to make very explicit that the review pertains only to performance in the first three years, with no implication for tenure. Mr. Schifrin: Our fears about litigation are not well founded; the new procedure will help us be more careful. Regarding scholarship, the real risk is compromising quality for quantity. Mr. Tiefel: Besides being too formal, the new procedure is flawed because it leaves out RPTC; some departments don't have adequate standards. Dean Lutzer: The proposed review is far less formal than a tenure decision. RPTC reviewed these procedures and did not see such a problem; if need be, RPTC can review departmental submissions. Mr. Axtell: Regarding quality of scholarship, probationers may benefit from quantitative guidance about publications in refereed vs. vanity journals. Also, the problem of potential litigation could be simply handled by the Dean putting a rubber-stamped disclaimer on each review. Mr. Kreps: Since we seem to be looking at this as a semi-formal quality-control device, why not go formal and make it a retention decision? Mr. D. Jones: The most important function of the review is to provide feedback, which should be discussed with the candidate and put in writing. If the proposal is going back to the drawing board, a sharp distinction should be made between the feedback function and retention review. Also, routine reports should not come to RPTC. Mr. Willis: It would suffice to have a careful review done by the department, put in writing, and kept on file; while the dean should be informed that this has happened (as Mr. Johnston suggests), he need not see or routinely sign off on the review. The candidate, if he or she wishes, can always bring the document to the dean on his own. The thrust of this revised proposal is to soften the procedure and make it less legalistic. Mr. Winter: Yes, the review should be done, but without over-formalization; to maximize candid feedback, the document should not go to the dean. Mr. MacGowan: Review and rebuttal will help the department, and comments from the dean will help probationary faculty. Ms. Ventis: The report should go to the dean to preserve quality control; probationary faculty may not be in a position to judge if they've had an adequate review. Mr. Finifter: Yes, guideline F should be retained for quality control.

The hour being late, Dean Lutzer ended the discussion by thanking the faculty for many helpful suggestions and comments. He said he would refer the matter of midprobationary review (again) to FAC for further consideration.

There was no new business. The meeting adjourned at 5:02 p.m.

Respectfully submitted,



Michael Rohrbaugh
Secretary to the Faculty of Arts and Sciences