

Ad hoc September 10, 2004 Ad Hoc University-Wide Governance Committee  
September 10, 2004  
Minutes

Present: J. Acker, R. Bangert-Drowns, J. Bartow, B. Carlson, M. Fogelman, R. Geer,  
T. Hoff, J. Pipkin, L. Schell, G. Singh, J. Wyckoff, B.  
Via

Minutes: The minutes of September 3, 2004 were approved.

CNSE Bylaws and Charter:

Professor Geer reported that a faculty representative from the College of Nanoscale Science and Engineering (CNSE) met with President Ryan and secured provisional approval to distribute the Bylaws and Charter to this Committee.

Vice President Kaloyeros will address the Committee next week. Professor Geer will distribute copies of the Bylaws and Charter to Committee members via e-mail.

Professor Acker suggested that subcommittee members should consider the particular information that would be useful to glean from the meeting with VP

Kaloyeros next week and come to the meeting prepared to raise questions and pursue discussion in those areas.

Tenure & Promotion:

The Subcommittee attempted to refine and simplify issues involving the principal models of final-level faculty review in a draft report dated September 7, 2004.

A portion of that report described:

"A non-binding, straw poll taken at [the meeting of Sept. 3] reflected that six of the 12 committee members present expressed support for a model that allows academic units in which cases undergo at least two "internal" reviews by faculty committees the option of (a) referring cases directly to the Provost or (b) referring cases to a University-wide faculty committee for additional review (presumably, both substantive and procedural—clarification of the scope of the additional review contemplated by members supporting this model would be

helpful). Conversely, six other members expressed support for some form of mandatory review of all cases by a University-wide faculty committee. Among members supporting mandatory review by a University-wide committee, four favored the committee engaging in comprehensive review of cases—i.e., considering both the substantive merits and adherence to procedures at prior levels of review. The other two members favored mandatory University-wide committee review regarding procedural compliance only, allowing academic units with two internal levels of review the option of resorting to a University-wide committee for substantive review of cases.

At least one committee member supported a model that would require review by a faculty committee comprised of members not supervised by the dean of the academic unit from which the candidate's case arose. This review would ensue following the dean's consideration of the case. Faculty committees performing this review could be tethered to discrete academic units or clusters; a single University-wide faculty committee would not necessarily review all cases.

The "candidate-specific" model of final-level faculty review committee garnered no support and has been dropped from further consideration.

The committee did not specifically discuss having a final-level faculty review committee serve an appellate function to review merits and/or procedural issues raised by aggrieved candidates. This report includes the "appeal function" model in the interest of allowing further discussion, but it does not attempt to marshal arguments in support of or in opposition to this approach."

The present objective is to discuss additional views about promotion and continuing appointment issues with an eye toward the Committee identifying the recommendations it will make about those issues.

Initial discussion focused on whether the "optional" third-level review model contemplated that the university-wide committee would engage in procedural or comprehensive review of cases referred to it. This question opened extensive

additional discussion. This discussion led to a poll that reflected that all committee members subscribed to the view that all promotion and tenure cases should undergo at least two levels of faculty committee review.

Questions were raised about which units would be allowed the option of concluding faculty committee review with an "internal" second level of review that would not involve an external or University-wide faculty committee. It was suggested that the option only would be available in units that had three or more departments or equivalent units. Members considered it unlikely that academic units would be tempted to create multiple departments simply to qualify for this option in tenure and promotion cases, and that the number of departments within units would continue to be justified by logical disciplinary considerations, the number of faculty, etc.

It was offered that the Committee seemed to be in agreement on a second general point (in addition to the proposition that all cases must undergo at least two levels of faculty committee review)—that a University-wide committee should exist to establish policies and procedures that would be observed in tenure and promotion cases throughout the University. It was suggested that the true point of contention was how and where individual cases should be reviewed.

Discussion turned to issues of the relative independence and consistency associated with faculty committees that are and are not external to the unit supervised by the candidate's dean. Another central consideration involved the relative competency of the different types of faculty committees to pass judgment on the merits of cases, in light of their presumed knowledge of the substance, norms, and standards of different disciplines. Arguments were advanced that a University-wide committee is better equipped to focus on general policies and procedures, but not as well suited as a review committee housed in the candidate's school or college to render substantive judgments about cases. However, it also was pointed out that primary reliance is placed on departmental judgments and the evaluations of external reviewers to evaluate a candidate's substantive contributions. Discussion ensued about the degree to which

second-level review committees within schools and colleges presently engage in substantive review of candidates' cases. One member recounted that second-level review committees do make substantive judgments, perhaps not at the level of reading specific articles, but more so in evaluating the quality of academic journals and related matters. Another member suggested that in the unit with which this member is familiar, "semi-substantive" second-level review is performed: the strongest debate on substance takes place at the departmental level, but questions about the quality of work are raised at the second level, work is compared to prevailing disciplinary norms, and so forth. Another member expressed the view that external reviewers represent the principal voice in making substantive review of cases and agreed that a University-wide committee should perform a policy-making function but pointed out that at present the CPCA only secondarily performs a policy-making role.

One member observed that idiosyncratic configurations would exist if school and college second-level review committees served as the final level of faculty review. For example, the College of Arts and Sciences is considerably larger and arguably more diverse than other schools and colleges, so the second-level review performed in the CAS might be significantly different from the second-level review performed in a smaller, more homogeneous unit. Such differences could suggest to affected faculty members a lack of consistent treatment.

Another member suggested that it was confusing to pose the question in terms of whether final level faculty review outside of a candidate's unit should be "optional." It was suggested that it would be clearer to ask whether such review should be mandatory.

It was suggested that the autonomy apparently granted to the College of Nanoscale Science and Engineering (CNSE) has had a profound impact on faculty perceptions in at least some areas of the University, and already has changed University governance dramatically. Others in the University can anticipate

learning from the CNSE's experiences with a more autonomous governance structure. It additionally was pointed out that the University could wait to examine the CNSE's experiences instead of contemplating making changes immediately, as there would be additional opportunities in the future to revisit University-wide governance issues. Others suggested that it would be useful for other units to have the prerogative of simultaneously conducting their own "experiments" with a more autonomous governance structure.

One member suggested that a system that did not require review by a faculty committee following a dean's recommendations deprived the faculty of an opportunity for input at one stage of the promotion and tenure review process, disrupted the normal progression of faculty-administration alternating review, and deprived the faculty of getting in the "last licks" before a case is referred to the Provost. Another member responded that there is little evidence to support the need for such penultimate faculty committee review. It was suggested that potentially troublesome cases seldom arise and that there is no empirical basis to support the belief that a centralized review committee such as CPCA in fact would perform the envisioned protective function if it were in place.

The Committee then proceeded to vote on a series of motions, as follows:

1. A University-wide faculty body should have authority to establish policies and procedures relevant to promotion and continuing appointment decisions—10 yes, 0 no, 1 abstain.
2. All cases regarding promotion and/or continuing appointment decisions should undergo review by faculty committees at at least two separate levels—11 yes, 0 no, 0 abstain.
3. Review by a faculty committee including members external to the academic unit supervised by the candidate's dean shall be required in all cases following the dean's recommendation—5 yes, 5 no, 1 abstain.
4. Schools and colleges in which cases undergo two levels of review by faculty committees (i.e., in the department and the school/college) should have

the option of deciding whether to refer cases for subsequent, University-level faculty committee review—5 yes, 5 no, 1 abstain.

The Committee also discussed the possible role of a University-wide committee in serving an appeal function for aggrieved candidates. The discussion concluded with apparent consensus that existing appeal and grievance procedures should not be altered and should be available to candidates in all cases who seek to avail themselves of such procedures.

Committee members were reminded to consider issues that they would like to raise with Vice President Kaloyeros at the next meeting, and were advised that the next meeting would present the opportunity for discussion about issues related to the Committee's charge on Research.