Minutes of the Sixth Meeting

The sixth meeting of the Faculty Senate was held at 3:00 p.m., 9 February 2006, in Shapiro Conference Room 315. Senators present: Marc Brettler, Stephen Cecchetti, Bulbul Chakraborty, Richard Gaskins, Ira Gessel, Harry Mairson (Chair), Leonard Muellner, Laura Quinney, Aida Yuen Wong. Senators absent: Jon Chilingerian, William Flesch, Jane Hale, Jytte Klausen, Margie Lachman, Robert Moody, Richard Parmentier.

Report on the Heller School Dean Search

The Senate Chair reported to the Senate on communication between the Senate Council and the Provost regarding the appointment of Prof. Stuart Altman to a two-year term as Dean of the Heller School, extending his previous role as Interim Dean. This communication included email exchanges as well as a meeting on January 25, which was also attended by Prof. Thomas Shapiro (HEL), the chair of the search committee.

In describing this communication and in expressing his concerns, the Chair emphasized that the Senate’s focus should be on “how” and not “who”, and particularly on the advise and consent procedures detailed in the Faculty Handbook. The Chair called to the attention of the Senate that these procedures were not observed.

Section V.B.2 describes the procedure when a Dean is replaced—most importantly, “The Provost recommends to the President only a candidate whose name has been discussed with the Council and in the Senate.” The Council was instead informed after Prof. Altman had been offered, and accepted, appointment as permanent Dean.

The Heller search committee produced three candidates, all of whom were judged as qualified, and forwarded to the Administration. None was acceptable to the Administration, which chose instead Prof. Altman, who was not known to be a candidate. The Council’s main concern is that it was informed of this choice once an offer was made and accepted by the new Dean, and not before.

It is the Provost’s responsibility to ensure that the Handbook rules are followed in letter and in spirit. The Council is particularly concerned that the Council and Senate were not consulted when normal procedure broke down. An opportunity for collaboration was missed.

At the January 25 meeting, the Provost observed that the Council had not been responsive to her email communication during the search, particularly to a retroactive email update, in lieu of a meeting, describing the initial search parameters (composition of the search committee, engagement of a search firm, etc.). The Council acknowledged that the Provost was correct, but added that procedure was fairly routine until the three candidates recommended by the search committee were rejected by the Administration—it was at this point that the Council’s participation became more important.

The Provost notified the Council of Prof. Altman’s choice on January 18, which was announced to the University two days later; on January 19, the Chair gave the assent of the Council to make the announcement. At the January 25 meeting, the Provost emphasized that she had sought the Council’s assent before making this appointment public. The Chair responded (as was clear in earlier email communication) that the Council was alarmed by the evident procedural anomaly,
but was not going to hold back a fait accompli in order to express its concerns, which could be communicated afterwards.

After meeting with the Council on January 25, the Provost promised a greater commitment to timely communication, which the Senate Council joined in a resolution to be more responsive; the Chair underlined the importance of everyone observing Handbook rules.

A wide-ranging Senate discussion ensued on the most appropriate way for the Senate to express its concern regarding these procedural difficulties, and to ensure that they will not recur. Senators made the following observations:

A precedent should not be set whereby appointment as interim dean becomes a de facto avenue to permanent appointment. In this case, the considerable labor of a search committee over many months was rendered pro forma. When Brandeis starts a search process but does not follow it to a normal conclusion, then the University’s reputation is undermined in the outside world, and the importance of faculty participation in search committees is compromised.

The rules in the Handbook are minimal, and according to a former member of the Handbook Committee, were written with an assumption that both the Senate and Administration would be working both cooperatively and collaboratively. We may need to consider a strengthening of the formal requirements. A senator noted that we should think carefully about the best way to ensure that legislation is followed in the spirit in which it is written.

The Senate should emphasize that Handbook procedures were imperiled when a candidate was named as a result of another process. The Senate is especially concerned about this anomaly because we have imminent appointments of Deans of the International Business School and possibly the Graduate School.

Senators concurred in making these concerns public in the minutes, and that the Chair should communicate with Prof. Gomes-Casseres (IBS), the International Business School dean search chair, regarding its concerns, so that appropriate care can be shown to observing the Handbook rules. Finally, the Senate expressed its interest in appointing a faculty committee to examine further appropriate participation of the Faculty in the selection of deans. The Chair said that he had been approached several times over the past year by faculty colleagues outside the Senate, calling attention to this very issue.

Tenure Clock Proposal
Professor Gaskins thanked the Senate’s working group on tenure matters (Professors Marc Brettler, William Flesch, Dagmar Ringe, Bernie Yack) for its research in surveying department heads and tenure track faculty on their views for extending the tenure clock. The group presented its preliminary findings at the January 26 Faculty Meeting.

Professor Gaskins distributed to the Senate, for its review and comment, some draft Handbook revisions for presentation at the March 2 Faculty meeting. The draft revisions, prepared by the Handbook Revision Committee, include language on leave issues, and on the length of the tenure clock.

The first item, which deals with family/medical leave issues, allows longer postponement time for leaves of seven weeks or more – up to one year per leave episode. It provides a mechanism for working out further criteria for eligibility and surrounding procedures, which would not require Handbook language (and could be changed without formal faculty action). It adds a total cap on such leaves, although this is something that has not been discussed so far in faculty deliberations. This item met with the Senate’s approval, and will be presented at the next Faculty Meeting.
The second item, which deals with extending the tenure clock from six to seven years, is more complex, and presents many questions. Several senators felt that more information is necessary before a thoughtful decision can be made, among them, what is happening at peer institutions and what have been the results at those schools that have made the change. If the University maintains its six-year clock, how can it improve conditions for tenure track faculty? Suggestions forwarded to the Dean of Arts and Sciences included reduced initial course loads, research assistants, funds for attendance to conferences, underwriting of monographs, and that the deadline for dossiers be moved from October to several months later. (The Dean has responded, indicating his intention largely to make the smaller changes requested, but expressed inability to modify the October 1 deadline for submission of dossiers—see the Agenda distributed for the March 2 Meeting.)

While senators agreed that the motion drafted by the Handbook Revision Committee should be presented at the March 2 Faculty Meeting, some suggested that voting might be postponed if there was sufficient need for gathering further information. The Senate believes that if tenure rules are to be changed, it should be on the basis of the best possible information, as it seems unlikely that the matter will be revisited anytime soon.

The meeting was adjourned at 5:05 p.m.