Minutes of the Fifth Meeting
8 December 2005

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

Tenure Task Force Report
The ad hoc Task Force on the Tenure Clock submitted its report to the Provost, which was distributed to the Faculty before the University Faculty Meeting on 1 December. The Task Force recommended that the probationary period for tenure be extended from six years to seven years, and changes to the leave policy; the recommendations were discussed in a preliminary fashion at the Faculty Meeting.

The Faculty Senate discussed the procedural steps necessary to address the report’s recommendations: does the Senate intend to endorse the report; is there more homework to be done and, if so, by whom; how can faculty opinion be solicited appropriately prior to further discussion at the 26 January 2006 Faculty Meeting? The Senate’s working group on tenure matters (Professors Brettler, Flesch and Gaskins from the Senate; Ringe [from Biochemistry], and Yack [from Politics]) was asked to take the initiative in facilitating comprehensive and expeditious deliberation, including necessary consultation with faculty and departments across the University.

The report puts four issues into play: a one year extension of the current tenure clock, the issue of early tenure, the question of whom the new policy applies to, and the modification of rules for stopping the clock for reasons of family and personal responsibility. Senators expressed a wish to decouple some of these issues.

For example, there was near consensus on the need for greater attentiveness to family leave issues, both out of personal regard for colleagues, and because there are questions of compliance with legal requirements. Until the appropriate section of the Faculty Handbook has been drafted, the faculty could consider an appropriate form of interim relief in the presence of family and medical responsibilities.

Some of the recommendations of the Task Force (tenure clock extension, FMLA compliance) are entirely procedural. Others (more frequent use of early tenure, that standards for promotion be unchanged) are encouragements concerning academic social practice which cannot be voted on, nor can compliance be regulated.

While many Senators felt that the recommendations of the Task Force were entirely reasonable, whether or not one agreed with them, the report did not provide reasons why the conclusions were reached, either in the form of rationale, or data provided to the
Faculty concerning practice at other institutions, or the summary of attitudes within departments at our own institution. In contrast, the reports of the Contract Faculty Committee and the Faculty Review Committee last year were comprehensive in their presentation of data gathering, analysis, and consultation. The Senate, through its tenure working group, intends to provide such information to the Faculty in advance of any vote on implementing recommendations of the Task Force.

Further questions and concerns of Senators included the following. Because each discipline has different ways of measuring professional achievement, can the tenure clock proposals be considered in an entirely discipline-specific way by the individual departments, independently from a more general consideration of what is in the entire University’s best interests? How appropriate is it to moderate University policy in response to changing external circumstances (federal funding cycles, publication logjams, etc.)? Concern was also expressed that departments may already be thinking ahead on clock extensions for their current junior faculty, in advance of approval by the Faculty.

Rights and Responsibilities Committee
Professor Chakraborty, Chair of the Faculty Committee on Rights and Responsibilities, spoke briefly on the issue of waivers of fair search recently used in the conversion of contract faculty to tenured faculty, which the Senate believes to have contravened the Faculty Handbook. She said that the Committee intends to introduce new language in the Faculty Handbook, ensuring that any future waivers must be in accord with guidelines approved by the Faculty Rights and Responsibilities Committee. There must be a procedure in place for notification, consultation, and concurrence. Senators agreed, adding that a collaborative engagement with the Administration must include consultation on such critical matters of substance, where faculty governance committees are ready and committed to work in the best interests of the University.

Professor Chakraborty also addressed the issue of precedent as a justification in the appointment of candidates from non-tenure/tenure track positions within the University to the tenured/tenure-track faculty. The Committee, she said, knows of no such University precedent. The Chair added that there is precedent for waiving search when there are external targets of opportunity, and a community consensus exists regarding such recruitment; there is no such consensus regarding the internal waiver synonymous with contract faculty conversion, and one remains to be worked out— in its September 29 charge to the Rights and Responsibilities Committee, the Senate took particular care to focus attention on the latter without compromising the former. One Senator felt that the Senate should go on record that the two conversions which have been made this year should not serve as a precedent for the future. Following communally accepted guidelines, in letter and in spirit, is a matter of credibility for everyone.

Handbook Revision Committee
Professor Richard Gaskins, Chair of the Handbook Revision Committee, reported briefly that there are many changes in the Handbook that the Handbook Committee will have to examine. These proposed changes are in large part consequences of the recommendations of last year’s Contract Faculty Committee. Some of the simpler of
such changes have already been brought to the floor at Faculty Meetings. Others may have to be addressed by the Senate before they are brought forward for faculty consideration.

**Participation in Tenure/Tenure-Track Searches by Non Tenure/Tenure-Track Faculty**

One Senator expressed concern about the extent to which non-tenure track faculty participate in tenure and tenure-track searches. While it might be appropriate for contract faculty to participate in discussions of candidates, only (and all) tenure-track faculty should vote on the actual appointment of tenure-track faculty, and— in conformity with the explicit provisions of the Handbook— only tenured faculty should vote on any recommendation for tenure, or serve on ad hoc committees considering such recommendations. There was some discussion of past breaches of this provision, which the Senate regarded as a matter of concern and perhaps future consideration.

**Medical Benefits for Emeritus Faculty**

The meeting concluded with a discussion of the problem of emeritus faculty as they address health care needs and costs during retirement. Currently, the University does not provide any such benefits, although some neighboring universities do. The most critical element of this question is when faculty retire before age 65, with no health plan, and no Medicare; in this instance, ad hoc arrangements have usually been made. However, a standard practice of retired faculty is to purchase supplements to Medicare coverage, and information varies widely about the costs incurred. Such costs are effectively doubled when health care for a spouse is included—a cost which previously may have been supplemented by a family health plan.

This subject was considered several years ago by the Senate, with inconclusive results. It is not unreasonable that the University consider supplementing the costs of health care in retirement. (Great interest in this possibility was expressed by senior members of the Senate, who were assured that its more junior members were right behind them.) These emeritus faculty might benefit from the advantage of negotiating as a group for benefits from health care vendors, as well as from the financial support that our institution could provide.

What’s needed to consider this issue further is information: on what other universities do, what real costs are to our emeritus colleagues, and finally, what costs would be incurred by the University and how those costs could be managed. The meeting ended with a consideration of the possibility of writing to these colleagues, with appropriate care to confidentiality, in order to understand better what the real difficulties are that they face.

The meeting adjourned at 5:00 p.m.