

**Recommendations for APT Document Revisions
(Approved by DU's AAUP Chapter, 3 February 2011)**

1. **Eliminate inconsistencies in the language used to describe criteria for promotion and tenure** (e.g., harmonize the varying references to “excellence”, “competence”, “promise”, “distinction”).
2. **More explicitly define “academic freedom”** to incorporate the kind of detail that accompanies the definition of “adequate consideration” that’s found on page 42. We should do more than simply link academic freedom to the “free pursuit of learning” (page 4) and (more vaguely) to “teaching and research” (page 24). These are the only two places in the document where you get even a hint of what the concept means. **The Faculty Senate and AAUP chapter should collaborate to craft an academic freedom statement.** We should also:
 - a. provide examples of what violations of academic freedom would look like, so that faculty are clearer on the meaning of the term and to prevent the filing of frivolous grievances on these grounds; and
 - b. **recommend that this broader definition of academic freedom covers the faculty’s obligation to participate in “institutional governance”** (page 4). For example, we can follow the University of Minnesota’s lead in stipulating that *“Academic freedom includes the freedom to speak or write without institutional discipline or restraint on matters related to professional duties and the functioning of the university.”* Faculties are adding such language to their handbooks all across the country given that shared governance is under siege at many institutions. Penn State has recently done this, in a way that parallels the U of Minnesota’s language: *“Faculty members are free to discuss governance issues of their respective departments, colleges, units, libraries, and of the University as a whole, and are free to speak and write on all matters related to their professional duties without institutional discipline or restraint.”*
3. **Clarify the timing of submission of Department Committee and Department Chair recommendations in “Procedures for Tenure Decisions” section 5.4.7 and 5.4.8.** In some departments the candidate is apprised of department committee and Chair recommendations at the same time; in other departments the Chair waits to see if the department committee recommendation passes the “adequate consideration test” (i.e., review by the candidate) before the Chair weighs in. The current APT document stipulates that these are independent evaluations and that the candidate has the right to respond to each. This implies that the candidate is made aware of both recommendations at the same time—which is only fair given that both the Department Committee and the Department Chair are reviewing the same case material. If, at the close of the department process, the candidate receives a negative recommendation and believes that adequate consideration has not been given to their case, then Departmental Review by an external committee is activated.

4. **Clarify procedures governing external Department Review of a negative recommendation if requested by candidate (i.e., what happens between sections 7.3.3 and 7.3.4)**
5. **Include more explicit discussion of “conflict of interest” in promotion and tenure proceedings**, and when recusal from the unit-level committee and the Faculty Review Committee is appropriate.
6. **Note that “collegiality” (page 4) is not an appropriate criterion in promotion, tenure, and annual review.**
7. **Require that applications for Full Professor be judged only by committees comprised of Full Professors.**
8. **Emphasize that alternative means of department level review are available to candidates who believe, for whatever well-justified reason, that they cannot receive a fair and conscientious review within their home unit.**
9. **Recommend, in section 5.4.11, that discussions within College, School, and Divisional Committees be conducted without secrecy or exclusion in the interest of ensuring “equitable and fair treatment of the faculty as a whole.”** Committee voting, however, may be secret if a unit so desires.
10. **Stipulate, at the end of Section 5.4, that Departmental Review Committees and Faculty P&T Committees at the Divisional level are entitled to be informed of the recommendations of higher level administrators (Deans and the Provost) after their reports have been sent up the line.** Recommend reporting of these decisions back to the committees.
11. **Note, in section 7.4 (Appeal of Negative Provost Recommendation) that the Faculty Review Committee—as warranted by the Faculty Senate Constitution—may, with respect to any individual complaint or appeal—*recommend remedies either for procedural inadequacies or for inequities or injustices.*** [In other words, the FRC may deliver both procedural and substantive justice].
12. **Add, on page 17, a section detailing “Professional Service” as distinct from Public Service and add “professional service” to the first full sentence at the top of page 24.**
13. **Address the missing “Appendix A” (p. 34), and revise the reference to “Equal Opportunity Board” (p. 34).** This reference to a non-existent appendix has been confusing to some applicants for tenure and promotion.
14. **Insert language assuring security of employment for full-time and part-time non-tenure track faculty who have had their contracts renewed for a period of at least seven years.** These faculty sometimes have duties that overlap in significant ways with those of tenured and tenure-track faculty, including administrative duties. Given the contributions of these faculty to their academic unit’s mission (as evidenced and

recognized by continuous renewal of their contracts), it is in the best interest of our students, the university, and our stakeholder public to protect the academic freedom of these colleagues and their right to speak and write on all matters related to their professional duties without institutional discipline or restraint. Assuring employment security is also a moral obligation, given that contingent faculty who have been with us for many years will have very few, if any, alternative career opportunities if told their services are no longer required. The case for employment security strengthens with every year of full or part-time employment beyond the 7th year. Long-term contingent faculty can be dismissed for only those reasons specified in section 6.2 of the APT document (“cause”, discontinuance of an academic unit, a state of demonstrable financial exigency that threatens the survival of the university as a whole). Notice of dismissal must be given a full 12 months in advance. Dismissed contingent faculty are eligible to use the full range of appeals mechanisms that are available to tenured faculty.