Comments on 3/11/13 APT Draft (from D. Saitta, DU AAUP Chapter president).

The following comments haven’t been discussed with the chapter. I’ll circulate a draft of the document to the chapter when the committee decides that it’s ready to go.

Section 1.1: Add “without institutional discipline or restraint” to the sentence about faculty participation in governance.

Section 1.1: Delete “personal development” of students. That’s not a faculty member’s job.

Section 1.2: Delete “…role models for students.” That’s not a faculty member’s job.

Section 2.2: Identify interdisciplinary and community-engaged scholarship as examples of enterprises in which criteria for performance evaluation may be “negotiated.”

Section 4 and elsewhere: The document vacillates between using “excellence” and “high quality” to refer to faculty performance. The latter term has been substituted for the former in some places. What’s the difference? Why no consistency?

Section 4.1: I’d refer to changing “quality standards” or the introduction of different quality standards as the academic world and/or institutional mission evolves. Why would we admit that our quality standards aren’t already high?

Section 4.2: Clarify what “immediate peers and colleagues” means. Department colleagues? Professional peers who participate in broader scientific, literary, or artistic communities? Both? I think the clarification is required because department faculty and administrators without particular expertise in a candidate’s area of work have been known to substitute their judgments of scholarly performance for those of the candidate’s more knowledgeable professional peers.

Section 4.3.2.E: Restore the deleted term “representative.” I see the recommendation in 4.4.3, but I think it would be wise to also include it here.

Section 4.3.3.C: As an example of “other external commentaries”, why not add local professionals who can evaluate the quality of, say, community engaged work?

Section 4.3.3.C: Everyone on the P&T committees on which I’ve served seems to agree that 3 external evaluations is way too low as a minimum. This is an opportunity to change the minimum number of external reviewers from 3 to some higher number. Why not seize the moment?

Section 4.4.1: Unless it’s there and I missed it, I think the document needs a rule requiring that department promotion committees overseeing the promotion of candidates to the rank of Full Professor include a majority of members who have attained that rank. This is best practice elsewhere and would be consistent with an institutional commitment to
maintaining high performance standards. Full Profs with overlapping interests from cognate departments can be used to achieve a majority.

**Sections 4.4.5 and 4.4.6:** Two different ways of proceeding are suggested by these sections in the event of a negative department P&T committee review. I think we should specify one way. Most people seem to read these sections as stipulating a sequential review: first by the department P&T committee, then by a Department Review Committee if requested by the candidate, then by either the original department P&T committee or a reconstituted department P&T committee depending on the Department Review Committee report, and finally by the department Chair. On a sequential model the candidate has nothing to lose by requesting a Departmental Review. The entire process can be time-intensive for faculty and emotionally-draining for the candidate. It can unnecessarily prolong a process where a negative department recommendation—if the original P&T committee review has been done carefully and conscientiously—is virtually guaranteed.

Alternatively, I'd advocate for a model of simultaneous review by the department P&T Committee and the Chair. If the recommendations of both department entities is negative the candidate could very well opt out of Departmental Review and begin making plans for leaving the university. If they want to proceed with Departmental Review then they can address Committee and Chair concerns about their performance at the same time. Everyone's cards are on the table. The simultaneous model (a) is more common as a best practice at other institutions (b) is fairer to the candidate because there is full disclosure of department Committee and Chair evaluations at the outset, (c) forces the candidate to think much harder about requesting a Departmental Review if both department committee and chair evaluations are in alignment, and (d) would be consistent with the administration's desire to create opportunities for taking more decisive action with respect to probationary faculty who are not making the grade. If a model of simultaneous department review is implemented then changes would need to be made in this section as well as Sections 7.3.1, 7.3.5, and perhaps elsewhere.

**Section 4.4.7:** The candidate should be informed of the “additional information” that’s collected at the College, School, or Divisional level.

**Section 7.3.4:** Allow for any member of the Department Review Committee to submit a written statement/opinion, whether they are in the majority or minority.

**Section 7.3.5:** Departmental P&T committees and Reconstituted P&T committees should be required to inform the candidate of any new information that’s collected, and specify how inadequacies identified in the original review were remedied.

**Section 7.4.2:** Any APT document co-authored by faculty should embrace, rather than reject, the faculty’s constitutionally-mandated right to “recommend remedies either for procedural inadequacies or for inadequacies or injustices” in promotion and tenure review. One remedy for injustice is a positive recommendation for reappointment/tenure/promotion. The Provost is not uniquely positioned to make this
call. In fact, the Provost will likely be less competent than a faculty committee to fairly evaluate scholarly work in general and interdisciplinary and community-engaged work in particular. There is historical precedent at the university for the FRC exercising this constitutional right.

Thus, I suggest saying that the FRC’s report “would typically limit itself to questions of adequate consideration or violation of academic freedom,” but that “in appropriate circumstances may recommend to both the Provost and the Board of Trustees that a candidate (or, appellant) be reappointed/promoted/tenured.” This language would be exactly parallel to that in section 7.4.6 which stipulates that the Provost may make such a recommendation to the Board of Trustees. If the Provost can make such a recommendation to the Board, why shouldn’t a faculty committee have the latitude to make such a recommendation to the Provost (and, by extension, the Board)?

**General Comments**

- I think there should be a blanket ban on full-time administrators serving on home department committees of any kind (hiring committees as well as promotion and tenure committees). At the very least, these participants should not have a vote in any of these decisions. Such rules would best respect principles of shared governance and are best practices elsewhere. This rule might be placed in section 4.4.1.

- On “Renewable Non-Tenure Line Appointments (3.4.2): I support the concept of multi-year contracts for full-time faculty in the “Teaching Professorial” series. However, continuing to restrict these faculty to multi-year contracts after 7 years of service strikes me as not in the best interest of the institution nor our students if we value the Teaching Professor’s experience and if they are fulfilling the “on-going need” for their services with “high quality” performance (which, after 7 or more years of renewed contracts, the university has admitted that they are). After 7 years of service these faculty should be able to opt for a comprehensive performance review that has, as one outcome, the granting of a form of tenure. This conversion would not have to involve a change in pay, rank, course load, or professional expectations (although it could). Tenured status would mean that the faculty member (a) would not have to continually re-apply for their job, (b) could be dismissed only for the reasons that “Tenure Line Professors” can be dismissed, and (c) would have available to them all the procedural safeguards and rights of appeal that are available to Tenure Line Professors. This policy would be consistent with the desired change of language from Lecturers to “Teaching Professors.” Most importantly, it would ensure that teaching faculty have exactly the same academic freedom (in teaching and governance) as Tenured Professors, something that’s essential to risk-taking in the classroom and innovation in the curriculum. It would almost certainly deepen the faculty member’s commitment to the university, and thus strengthen the university.