

FACULTY MEETING
April 30, 2021

Motion: The Appointments and Tenure Committee (ATC), the Committee on Academic Freedom and Rights (CAFR), and the Tenure Review Board (TRB) move to amend the Faculty Handbook (Part One , VIII, E. 5-7; Part Two, II, A and F) by replacing the Tenure Review Board (TRB) with a Tenure Review Subcommittee (TRS) and revising the membership of the Tenure Appeals Committee (TAC).

First, the responsibilities of the TRB will shift to a new Tenure Review Subcommittee (TRS) composed of three tenured members of the CAFR. The composition of the CAFR will be

Table 1. The present routes to appeal

	CAFR	TRB
Grounds	Violations of academic freedoms and/or rights	"Inadequate consideration"
Evidence	Materials supplied by candidate, a letter from the candidate, + interviews (can include tenure materials)	Letter from candidate Tenure binder Optional consultations with the ATC, members of the candidate's department, the DOF/VPAA, the ADOFAA, and others deemed necessary by the TRB to assess the petition
Output	Letter of findings and recommendation for action (these recommendations cannot include a recommendation to give or deny tenure) are sent to the President, the petitioner, and the respondent. CAFR cannot convene a TAC.	TRB decides whether to convene a TAC or not.
Timeline to file appeal	Unconstrained	March 21 deadline
Timeline to complete investigation	Unconstrained	April 1 deadline

This proposal aims to regularize and streamline the process for faculty, and is in keeping with the norms of the majority of comparable institutions, which dominantly have a single route for tenure appeals that considers both procedural violations and violations of academic freedoms and rights.

On the logic that "inadequate consideration" in the tenure process is actually a violation of academic freedoms and rights, the pres

members are sitting members of the ATC. To this end, the TAC will include the current and incoming chair of ATC (who already heard the relevant case), the current and incoming chair of CAFR (who served on the TRS), and three additional individuals who have previously served as members of ATC/CAPT.

The mechanism for finding three TAC members among previous members of ATC/CAPT will be

b. The Tenure Review Subcommittee is a subset of the Committee on Academic Freedom and Rights consisting of three tenured members of the Faculty. No member of a candidate's department will sit on the TRS for consideration of the case. The Faculty Executive Committee, according to its procedures, shall provide an alternate for any of the three whose department is the same as the candidate's.

c. The Tenure Review ~~Board~~ Subcommittee will have at its disposal all of the materials

serve as substitutes. Substitutes may serve concurrently on cases for PC and ATC but may not be current members of ~~the Tenure Review Board~~, CAFR, or FAB.

e. COMMITTEE ON ACADEMIC FREEDOM AND RIGHTS (CAFR) — Elected

Function: To serve as guardian of the academic freedom and rights of all members of the academic community; to receive inquiries and complaints concerning academic freedom and rights and to consider formal charges of violations of academic freedom and rights from any faculty member, student, administrator, trustee, or from ATC and PC; to advise and make appropriate recommendations.

A subcommittee of CAFR consisting of the three tenured faculty, the Tenure Review Subcommittee (TRS), reviews negative tenure recommendations at the request of the candidates. The TRS may consult with the ATC, members of the candidate's department, and/or the DOF/VPAA, if necessary. In the event that the Tenure Review Board determines that a tenure case requires reconsideration, the TRS will convene the Tenure Appeal Committee to reconsider the case. The Tenure Review Subcommittee is free to discuss with the administration or with the Chair of ATC issues raised by a candidate that—although not warranting an appeal—nonetheless might improve future tenure deliberations. If the complaint involves alleged harassment or discrimination in violation of the college's policies as outlined in Part Six, in addition to carrying out the TRS investigation, the TRS will notify the Dean of the Faculty following the procedures set forth in Part Six, Article VII [Procedures for Resolving Complaints of Harassment or Discrimination against Faculty Members].

Members of the TRS may not participate in the tenure cases of candidates with primary affiliation in their own departments/programs and a substitution will be made by the remainder of the committee from the most recent former members of CAFR with tenure.

CAFR meets annually, and whenever necessary in the pursuit of its functions, with the Academic Affairs Committee of the Board of Trustees. Revisions to Part One of the Faculty Handbook, Articles I–VIII, XIV, XII through XVIII are reviewed by CAFR for its recommendations prior to a faculty vote.

Membership: Four members of the Faculty, none of whom is on ATC, PC, the Tenure Review Board, CAS, or FAB, at least one of whom is untenured at the time of election and at least ~~two~~ **three** of whom are tenured, each to serve a three-year term and each from a different department; and no more than five students selected by SGA.

A member who has served a full three-year term is eligible for re-election after being out of office for two years; members who complete an unexpired term or serve an interim term in place of a regularly elected member on leave are immediately eligible for re-election provided their service did not exceed one calendar year. A member shall recuse himself or herself if the member is involved in the matter about which the complainant is bringing the case.

~~h. TENURE REVIEW BOARD — Elected~~

~~Function: To review a negative tenure recommendation at the request of the candidate. In the event that the Tenure Review Board determines that a tenure case requires reconsideration, the three members of the TRB will sit together with the seven members of ATC, as the Tenure Appeal Committee, to reconsider the case.~~

~~Membership: Three tenured faculty members, each elected to serve a three-year term, at least one of whom has previously served on CAPT or ATC. All members of the Board must have been tenured for at least two years. No two members may be from the same department. Faculty currently serving on ATC, PC, CAFR, or FAB are not eligible. No member of the Tenure Review Board may sit for the review of a candidate in the same department. FEC will provide substitutions for such reviews as needed. In other exceptional cases of conflict of interest, FEC may, at the request of the TRB, substitute one or more members for a specific case.~~

~~**Relabel “i” through “p” as “h” through “o” **~~

~~i. h. TENURE APPEAL COMMITTEE~~

~~Function: To review a negative tenure recommendation at the request of the Tenure Review Board Subcommittee.~~

~~Membership: The seven members of ATC plus the three members of the Tenure Review Board. No member of the Tenure Appeal Committee may sit for the review of a candidate in the same department. FEC will provide substitutions for such reviews as needed. In other exceptional cases of conflict of interest, FEC may, at the request of the TAC, substitute one or more members for a specific case.~~

Membership: Two members of the ATC (the current and upcoming chairs), two members of the TRS (the current and upcoming chairs of CAFR) and three former members of the ATC or CAPT from previous years. The former members of the ATC or CAPT will be identified by the chair of the ATC according to the process for soliciting ATC substitutes when there is a conflict of interest in a tenure case. Specifically, former members who do not have their own conflict of interest and are not on leave will be solicited in order of most recent full-time membership (not substitute membership for a single case) on the ATC or CAPT. The chair of the ATC will serve as chair of the TAC.

~~n. m. FACULTY ADVISORY BOARD (FAB) – Elected~~

Membership: Five members of the Faculty, at least three of whom must be tenured and two of whom may be untenured at the time of appointment, serving overlapping three-year terms. These members will be appointed by FEC in consultation with the Dean of the Faculty/Vice President for Academic Affairs and trained by Human Resources in matters of discrimination, harassment, and disciplinary proceedings. FAB members will have additional training on sexual

and gender-based misconduct by the Dean of Student Affairs Office. Appointments will be based on committee service preferences of the candidate, the vote of the faculty, and when necessary, the need for appointing a representative FAB. Members of FAB may not serve concurrently on CAFR, ATC, or PC, ~~or TRB~~. FAB will select its chair from its membership.