

Tenure and Academic Freedom Committee (T AFC):

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Report to the Faculty Assembly: February 10, 2105

ITEM 1: Provost's report of number of faculty transferred from the tenure stream to non-tenure stream status. Type A refers to temporary transfers; Type B refers to permanent transfers [please see attachments]. The former is designed to give faculty more time to build up their credentials for tenure. The latter is for people who are not going to succeed at getting tenure and are seeking an alternative. The transfers are in line with Faculty Policies, as outlined in the Faculty Handbook (p. 31 in the PDF version of the Handbook). Type A transfers can be for no more than 24 months; Type B transfers have to abide by the stated steps. As the Attachment shows, these transfers have been gradually increasing since 2003 but leveled off since 2010, with about 33-36 faculty affected per year, and the vast majority of cases in SOM.

ITEM 2: T AFC activity affecting all University faculty. During the past year, T AFC addressed issues of considerable importance to all faculty by initiating several **resolutions** that were passed by the University Assembly, as well as by direct overture to the Provost's office to review certain policies as follows:

- a) **Transfer of Intellectual Property Rights to the University (resolution):** Reflecting faculty concerns, the resolution requested formation of an Ad Hoc Committee of the Faculty Assembly, which was approved. In response to arguments put forth by the resultant Committee, the Provost's office mostly resolved key issues by making available alternate signature templates. However, given still unresolved questions about the University's IPR policies, the Provost has stated her intent to form a Committee to look further into this matter.
- b) **Academic Freedom and the Electronic Media (resolution):** As per the resolution, a Subcommittee of T AFC was formed to investigate this issue, which was put forth by faculty. Its Final Report was approved on February 5, 2015 by T AFC and is to be presented to the Faculty Assembly. In addition to the Report, which found that the related University policies were adequate, the Subcommittee has been working on a digitally available version of "best practices;" it also suggested the possibility of an informational webinar, and recommended that the Chancellor reaffirm that intellectual freedom extends to electronic media.
- c) **Review the Guidelines for Evaluating Tenured Faculty and Associated Salary Decisions (resolution).** This resolution requested the formation of an Ad Hoc Committee of the Faculty Assembly to address the practice of **salary reduction of tenured faculty** as a consequence of unsatisfactory job performance evaluations. Co-Chairs of the resultant Ad Hoc Committee met with the Provost on January 22, 2015. The Provost expressed her support of the Committee's goal and pledged to facilitate the data-gathering phase of the task. The next step is to initiate that task. We seek to complete the work of this Committee before the Summer of 2015.
- d) **Questions about the Content and Language of the Contract that faculty have to sign if they opt for Phased Retirement.** Phased retirement involves faculty (eligible for retirement) opting for a transitional period of typically 1-2 years of ½ time appointment which terminates in full retirement. Two faculty members (later supported by others) filed

a grievance with T AFC on behalf of all faculty, questioning the need for the constraints imbedded in the contract associated with this option, and objecting to the language and content of the contract, which they perceived as coercive, intimidating, and needlessly unfriendly. A subcommittee of T AFC had met with Vice-Provost Balaban on January 12, 2015 to review this issue and to request that a revised contract be prepared that has faculty input. The timeline for resolution is by the end of the Spring, 2015.

ITEM 3: Usual Activities. In addition to the above major tasks, T AFC had continued to counsel and assist individual faculty (of any rank or job status) with job-related grievances and problems. The topics have been wide ranging and faculty complaints have included charges of unjust termination, nepotism, plagiarism, inappropriate salary cuts, harassment, and unexplained inactivity by Administration to resolve specific issues. T AFC has also been presented with cases involving a variety of interpersonal disputes between faculty and their supervisors, which typically do not meet criteria for a grievance. Nonetheless, for such cases, T AFC offers “informal” guidance by reviewing approaches to dispute resolution.