

TOPIC: Definition of Tenure and Brief Overview of Policies

COMMITTEE: Organization and Compensation

DATE OF MEETING: September 6, 2017

SUMMARY: Dr. Joann Boughman, Senior Vice Chancellor for Academic and Student Affairs, will provide a definition of academic tenure and a brief overview of the tenure process and policies related to the granting of tenure and review of tenured faculty. Excerpts from the most relevant documents are attached:(1) the American Association of University Professors (AAUP) definition of and statements on tenure; (2) the USM Policy on Appointment, Rank and Tenure of Faculty (II 1.00); and (3) the USM Policy on the Comprehensive Review of Tenured Faculty (II 1.19). This initial discussion will provide the introduction for additional in depth discussions of the Board about tenure if desired.

ALTERNATIVE(S): This is an information item; no action or alternatives are required.

FISCAL IMPACT: This is an information item.

CHANCELLOR'S RECOMMENDATION: This is an information item.

COMMITTEE ACTION: Information Only

DATE: September 6, 2017

BOARD ACTION:

DATE:

SUBMITTED BY: Janice Doyle

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ACADEMIC TENURE

Notes by Joann Boughman, Senior Vice Chancellor for Academic and Student Affairs

The following excerpts from AAUP and USM documents provide the very basic elements of tenure. We will discuss the outlines of the procedures for the review and granting of tenure, which are institution- and discipline-based. The goal of this discussion is to provide an overview of tenure and determine the questions that regents have that should be answered in the upcoming discussion on tenure at the BOR retreat in the fall.

From AAUP (American Association of University Professors)

Definition and purpose of tenure:

A tenured appointment is an indefinite appointment that can be terminated only for cause or under extraordinary circumstances such as financial exigency and program discontinuation.

The principal purpose of tenure is to safeguard academic freedom, which is necessary for all who teach and conduct research in higher education. When faculty members can lose their positions because of their speech or publications research findings, they cannot properly fulfill their core responsibilities to advance and transmit knowledge. Thus, tenure was instituted in 1940 to protect those freedoms and responsibilities.

Education and research benefit society, but society does not benefit when teachers and researchers are controlled by corporations, religious groups, special interest groups, or the government. Free inquiry, free expression, and open dissent are critical for student learning and the advancement of knowledge. Therefore, it is important to have systems in place to protect academic freedom. Tenure serves that purpose.

Although tenure does protect individual faculty members, it also serves society and the common good by protecting the quality of teaching and research and thus the integrity of institutions of higher education. If faculty members can lose their positions for what they say in the classroom or for what they write in an article, they are unlikely to risk addressing controversial issues. The common good is not served when business, political, or other entities can threaten the livelihood of researchers and instructors, and thereby suppress the results of their work or modify their judgements.

From USM Policy II-1.00 Policy on Appointment, Rank and Tenure of Faculty

Appointment and process:

The specific criteria for the appointment, promotion, and granting of tenure to faculty by constituent institutions are dependent upon institutional mission. Final authority for the appointment, promotion, and granting of tenure of faculty resides in the chief executive officer of the institution

Assistant Professor - the appointee's review for tenure must occur no later than the sixth year of continuous full-time employment, commencing on or after July 1, 1990, in the ranks of Instructor and Assistant Professor. Tenure in any rank can be awarded only by an affirmative decision based upon a formal review

Associate Professor or Professor have other timelines, but affirmative review and final approval by the chief executive officer are required.

Termination:

The chief executive officer of the institution may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the chief executive officer or a faculty board of review as provided for by the relevant institutional policy body

The institution may terminate any appointment because of the discontinuance of the department, program, school or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with standards and procedures set forth in written institutional policies.

USM Policy on Comprehensive Review of Tenured Faculty (II-1.19)

- Each tenured faculty shall be reviewed (comprehensive) at least once every five years.
- The review shall include an evaluation of instruction, research/scholarship, and service.
- If a faculty member's performance is judged as not meeting expectations, a specific developmental plan shall be developed.