



UNIVERSITY GOVERNANCE RECORD

The March 2009 meeting of the University Faculty will be held on Tuesday, March 3 and, if needed, on Tuesday, March 17 in the Langone Center Forum beginning at 12:00 p.m. and running until 12:52 p.m. or the conclusion of business, whichever comes first. Professor Tony Massoud, Chair of the Faculty, will preside. Any amendments to the February 2009 minutes should be sent to Faculty Secretary Tom Cassidy prior to the March meeting.

AGENDA

- A. Amendments to and approval of February 2009 minutes**
- B. Announcements and remarks by the Chair of the Faculty**
- C. Announcements and remarks by the President**
- D. Announcements and remarks by the Provost**
- E. Committee Reports:**

1. Faculty and Academic Personnel Committee

- Motion 1: Revise the Faculty Handbook regarding the timeline for reviews (pp. 3-9).
- Motion 2: Amend the Faculty Handbook Regarding Administrative Searches (p. 10).
- Motion 3: Change the Role of the Provost and the President in 2nd and 3rd Year Reviews (p. 11).
- Motion 4: Adopt the implementation plan for hiring with tenure, outlined below (pp. 12-13).

2. Committee on Academic Freedom and Tenure

CAFT is planning for the possibility that the faculty will approve a new timeline for reviews. In the event of a new University timeline, departmental timelines will also need to change.

3. Committee on Athletics

Marty Ligare will make a verbal report.

4. Committee on Planning and Budget

Karl Voss will make a verbal report.

- 5. Committee on Instruction**
 - 6. Committee on Complementary Activities**
 - 7. Committee on Faculty Development**
 - 8. Committee on Honorary Degrees**
 - 9. University Review Committee**
 - 10. Committee on Staff Planning**
- F. Announcements and remarks by members of the President's staff**
- G. New business**
- H. Adjournment**

APPENDIX

Motion 1: FAPC Motion to revise the Faculty Handbook regarding the timeline for reviews.

Crafted by FAPC based on the CRTP report and with feedback from the URC, CAFT, Faculty Council, and the Office of the President.

The CRTP report made the following observations:

“Bucknell does more reviews in a shorter period of time than any of our peer institutions. Indeed, this is the area in which Bucknell is most out of step with our peer and aspirant institutions. Review decisions are too important to rush, so it is essential that the URC be given enough time to do its work.”

To decompress the URC’s schedule, we recommend the following changes:
Second and fourth year reviews should be submitted earlier in the fall. Tenure review documents should be submitted by November 1st. Second and fourth year review decisions would be sent by December 15th. Tenure review decisions would be sent by February 1st.

Motion: Amend the faculty handbook as outlined below.

Additions are underlined and deletions are denoted with ~~striketrough~~.

II.C.5. UNIVERSITY REVIEW COMMITTEE

Review procedures and deadlines for tenure and retention are outlined in III.K.2.

The Committee shall review recommendations for promotion during the spring semester (See III.K. and III.L.). Recommendations for promotion in conjunction with the conferral of tenure shall be reviewed on the schedule laid out for tenure cases in III.K. before December 15 of each year.

II.C.6. COMMITTEE ON ACADEMIC FREEDOM AND TENURE

Appeals responses to candidates

In a case where the complaint is in response to a notice of non-renewal of contract, the individual should bring his/her complaint to the Committee according to the timetable in III.K.2. within 45 days of the notice. Note that the timetable described there admits the possibility of extenuating circumstances causing a delay in bringing the complaint, and provides specifically for time to prepare a complaint after receipt of the result of a reconsideration by the University Review Committee, should such an appeal have been made to that body. However, there may be times when extenuating circumstances require a later date.

III.K.2. Schedule of Review Procedures

- On or before May 1, the Deans of the Colleges will notify department chairpersons of the names of those department members who are to be evaluated during the following academic year.
- On or before May 15, the Deans of the Colleges meet with department chairpersons for preliminary discussion of procedures and the progress of evaluations.
- On or before May 15, prior to the evaluation of faculty members, the department chairpersons will invite provisional appointees to discuss the procedures to be followed in arriving at recommendations for their reappointment and tenure. Any questions concerning the procedures of a department committee (including the deadline for their submission) should be answered at this time. Agreements regarding procedures should be specified in a letter written to the candidate by the department chairperson dated on or before June 1.
- On or before September 20 for 2nd and 3rd year reviews, September 30 for 4th and 5th year reviews, and October 15 for tenure reviews, the department chairperson, representing the department review committee, will provide to each faculty member under review a written statement describing his/her standing, the statement to include evaluation of scholarship, teaching, and contributions to the University community. The chairperson will give the candidate the opportunity to (a) meet again with the department committee before the final text of the statement is prepared, (b) see the final text of the statement before it is sent to the Dean of the College, and (c) respond in writing, if the candidate elects to do so, to the departmental statement.
- On or before September 30 for 2nd and 3rd year reviews, October 10 for 4th and 5th year reviews, and November 1 for tenure reviews, the final documented department recommendations and candidate statements of response (if any) will be submitted to the University Review Committee through the Dean of the College.
- ~~During October and November, t~~The University Review Committee reviews department recommendations and all relevant documentation. The University Review Committee will formulate its own recommendations to be reported to the President and forwarded to the Board of Trustees. The final authority to grant appointments, promotions, and tenure rests with the Board of Trustees.
- On or ~~before~~about December 1 for 2nd, 3rd, 4th, and 5th year reviews, and January 20th for tenure reviews, the President will apprise him/herself of the documentation which accompanied the department recommendations and will meet with the University Review Committee to discuss the Committee recommendations.
- On or before December 15 for 2nd, 3rd, 4th and 5th year reviews, and February 1st for tenure reviews, the Deans of the Colleges will send letters of notification of the University Review Committee's actions to each faculty member under review. By this date, the University Review Committee shall prepare for the file a separate letter of explanation for each candidate denied retention or tenure.
- A December University Review Committee letter which indicates the University's intention to terminate an appointment is to be understood as the final notice of non-reappointment or denial of tenure, even if the Committee on Academic Freedom and Tenure is petitioned.
- If the final decision as stated in the December University Review Committee letter of notification is to deny reappointment or tenure, the individual faculty member may appeal negative decisions on two possible grounds and in the following order: substantive

issues and procedural issues. Requests for reconsideration based on substantive issues shall be directed to the University Review Committee before any appeal based on procedural issues is made to the Committee on Academic Freedom and Tenure. An appeal to the Committee on Academic Freedom and Tenure will foreclose the right of the candidate to appeal to the University Review Committee for reconsideration.

- January 1 for 2nd, 3rd, 4th and 5th year reviews, and February 10 for tenure reviews, shall be the latest date on which a candidate who has been denied retention or tenure may request a letter of explanation from the University Review Committee. Letters of explanation which have not been requested shall be destroyed on January 31~~March 1~~.
- January 15 for 2nd, 3rd, 4th and 5th year reviews, and February 20 for tenure reviews, shall be the latest date on which a candidate may request reconsideration by the University Review Committee.
- January 31 for 2nd, 3rd, 4th and 5th year reviews, and March 1 for tenure reviews, shall be the latest date on which a candidate may submit materials for reconsideration to the University Review Committee.
- February 15 for 2nd, 3rd, 4th and 5th year reviews, and March 15 for tenure reviews, shall be the latest date on which the candidate will receive notification of the result of the reconsideration by the University Review Committee.
- January 31 for 2nd, 3rd, 4th and 5th year reviews, and March 1 for tenure reviews, shall be the latest date on which a candidate may appeal to the Committee on Academic Freedom and Tenure unless the candidate has made a timely appeal to the University Review Committee, in which case the deadline will be fifteen days after the written notification to the candidate of the reconsideration decision. If such a petition is made, it is the faculty member's responsibility to establish a prima facie case before the Committee on Academic Freedom and Tenure takes any investigative action. The Committee shall endeavor to complete its investigation within 45 days of receipt of the petition. If, after its investigation, the Committee on Academic Freedom and Tenure finds grounds to support the claim of the candidate, it may direct the University Review Committee to conduct a new review, or it may direct that Committee to appoint an ad hoc committee for such a purpose. The University Review committee or ad hoc committee shall endeavor to complete its new review within 30 days. The Committee on Academic Freedom and Tenure may also direct a department/program to conduct a new review, the results of which shall be forwarded to the University Review Committee (or ~~an~~ an ad hoc committee, if appropriate) for its new review. The Committee on Academic Freedom and Tenure shall establish the timetable for the new department/program review after consulting with the University Review Committee and the department/program.
- At the request of the candidate, the University Review Committee may, for extenuating circumstances, extend the deadlines for appeals of January 1, 15, 31, and February 15~~listed above~~. In like manner, at the request of the candidate, the Committee on Academic ~~Freedom Tenure~~ and ~~Tenure Freedom~~ may, for extenuating circumstances, extend the deadlines of January 31 for appeals and the fifteen-day period following the written notification to the candidate of the reconsideration decision.

The table below delineates how the calendar would work for each review.

| | <u>2nd & 3rd year</u> | <u>4th & 5th year</u> | <u>Tenure</u> |
|--------------|---|---|--|
| <u>9/20</u> | <u>DRC reports to candidates</u> | | |
| <u>9/30</u> | <u>Materials sent to Dean, URC</u> | <u>DRC reports to candidates</u> | |
| <u>10/10</u> | | <u>Materials sent to Dean, URC</u> | |
| <u>10/15</u> | | | <u>DRC reports to candidates</u> |
| <u>11/1</u> | | | <u>Materials sent to Dean, URC</u> |
| <u>12/1</u> | <u>URC discussion with President</u> | <u>URC discussion with President</u> | |
| <u>12/15</u> | <u>URC letters to candidates</u> | <u>URC letters to candidates</u> | |
| <u>1/15</u> | <u>Appeals to URC</u> | <u>Appeals to URC</u> | |
| <u>1/20</u> | | | <u>URC discussion with President</u> |
| <u>2/1</u> | | | <u>URC letters to candidates</u> |
| <u>2/15</u> | <u>Appeals responses to candidates</u> | <u>Appeals responses to candidates</u> | |
| <u>2/20</u> | | | <u>Appeals to URC</u> |
| <u>3/15</u> | | | <u>Appeals responses to candidates</u> |
| <u>4/1</u> | | | |
| <u>4/15</u> | | | |
| <u>9/1</u> | | | |
| <u>9/30</u> | | | |

3. Notification of Non-reappointment

Written notification of non-reappointment of a full-time member of the Faculty in a provisional status, following one year or more of contracted service, is given by the University as follows:

- On or before March 1 of the first academic year of service if the appointment expires at the end of that academic year; or if a one-year appointment terminates during the academic year, at least six months in advance of its termination.

- On or before December 15 of the second academic year of service, if the appointment expires at the end of that academic year; or if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
- At least twelve months before the expiration of an appointment after two or more years of full-time service in the institution.
- It is understood that expiration of appointment at the end of a year will be interpreted to mean the end of the academic year.

An appointment may be terminated by a faculty member effective at the end of an academic year, provided that notice is given in writing at the earliest possible opportunity, but not later than May 1, or thirty days after receiving notification of the terms of the appointment for the coming year, whichever date occurs later. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he/she would otherwise be denied substantial professional advancement or other opportunity.

Should the motion pass, the URC and CAFT will write a cover sheet to be attached to all DRC documents giving the new UNIVERSITY dates and deadlines and making it clear that these dates supersede any of the deadlines in the rest of the DRC document.

The cover sheet will also contain blank spots for the dates and deadlines internal to the DEPARTMENT to be filled in by the department. This cover sheet, with the DRC and URC deadlines, will thus provide candidates with a single reliable source.

Should a department keep its current dates, there does not need to be a review by CAFT, but should a department decide to CHANGE deadlines (because of earlier submissions to the URC) it should submit to CAFT a version of the cover sheet with both the old, and the new, departmental dates, for a quick review to see that there have not been changes disadvantageous to the candidate from the current DRC deadlines. As well, a department that keeps its old dates might, for second or fourth year reviews, have a compressed timeline, and this should not be at the expense of the candidate.

Departments are expected to construct internal deadlines so that the opportunities for, and time periods available to, the candidate for responses (such as a meeting with the DRC to request full or partial reconsideration, and/or the writing of a response to the DRC report to be included in the file sent to the URC) are substantially the same as those under current departmental practice. Departments seeking to change their internal deadlines, or departments seeking guidance from CAFT as to the suitability of the timeline resulting from earlier URC deadlines combined with unchanged departmental deadlines, should submit a cover sheet to CAFT by April 13, 2009.

Issues the committee considered in crafting this motion

1. Which review (4th & 5th or 6th) should be moved into the spring semester.

As noted above, in order to decompress the URC schedule, one review must be moved into the spring semester. Provisional candidates who do not get an additional year after notification of non-renewal must be reviewed in the fall to allow time for them to find another job. Thus, 2nd year reviews must occur in the fall. The question then becomes, should we move 4th & 5th or the 6th year reviews into the spring semester.

Arguments for moving the 6th year (tenure) review to the spring semester:

1. Tenure files are larger and take more time to prepare and review. Thus, it is more important to give extra time to those candidates and departments undertaking tenure reviews.
2. Tenure files naturally succeed 2nd and fourth-year reviews. Newer DRC and URC members benefit from going through 2nd and 4th year reviews before undertaking tenure reviews.
3. 4th- and especially 5th-year candidates need timely feedback that they can act on in the spring semester, so they should be reviewed in the fall and given feedback by December 15th. Timely feedback is much less important in tenure cases.

Arguments for moving 4th and 5th year reviews to the spring semester:

1. It may be more difficult for a failed candidate 6 years out to obtain a job than a failed fourth year candidate, so earlier access to the job market may be more important for one than the other.
2. The university has invested more time and resources in candidates at their 6th year, so we should work the hardest to keep this group from leaving.
3. All reviews have their waiting period stresses, but the tenure decision may come with the greatest level of stress.
4. Candidates who are concerned about the tenure decision and who are inclined to hedge their bets and go on the market may receive a job offer before they receive a tenure decision. Although this would also apply to candidates at other review levels, it may be more likely to apply to candidates undergoing a tenure review.
5. Planning for sabbaticals is slightly more difficult if 6th year review recommendations are not announced until Feb. 1, but the final schedule for the fall semester is not completed until after Feb. 1, so this is a minor concern.

In evaluating these arguments, the committee felt that the arguments for moving the 6th year (tenure) review to the spring were much stronger than the arguments for moving the 4th and 5th year reviews to the spring. In particular, timely feedback for 4th and 5th year candidates was deemed the single most important factor in convincing the committee that tenure reviews should be moved to the spring. A candidate undergoing a 5th year review has only one semester and 8 months in which to address any concerns that emerge from the URC's review of that candidate's file. Delaying notification from Dec. 15th until Feb. 1st for these candidates would mean they would not have the between-semester break to restructure classes to address concerns about teaching or to make a push in an area of scholarship.

2. Establishing a calendar for promotion reviews.

In the future, we intend to construct a similar, written timetable for promotion reviews. The table below indicates how that calendar might look.

| | 2 nd & 3 rd year | 4 th & 5 th year | Tenure | Promotion |
|-------|--|--|---------------------------------|--------------------------------|
| 9/20 | DRC reports to candidates | | | |
| 9/30 | Materials sent to Dean, URC | DRC reports to candidates | | |
| 10/10 | | Materials sent to Dean, URC | | |
| 10/15 | | | DRC reports to candidates | |
| 11/1 | | | Materials sent to Dean, URC | |
| 12/1 | URC discussion with President | URC discussion with President | | |
| 12/15 | URC letters to candidates | URC letters to candidates | | |
| 1/15 | Appeals to URC | Appeals to URC | | |
| 1/20 | | | URC discussion with President | |
| 2/1 | Appeals responses to candidates | Appeals responses to candidates | URC letters to candidates | DRC reports to candidates |
| 2/15 | | | | Materials sent to Dean, URC |
| 2/20 | | | Appeals to URC | |
| 3/15 | | | Appeals responses to candidates | |
| 4/1 | | | | URC discussion with President |
| 4/15 | | | | URC letters to candidates |
| 9/1 | | | | Appeals to URC |
| 9/30 | | | | Appeal responses to candidates |

Motion 2: FAPC Motion to Amend the Faculty Handbook Regarding Administrative Searches

Crafted by FAPC with feedback from the Faculty Council

Rationale: Existing Faculty Handbook language does not accurately reflect current practices with respect to administrative searches.

Additions to handbook language are underlined, deletions are marked by ~~strikethrough~~.

FAPC Motion: Amend the faculty handbook as outlined below.

I.E

Subject to the regulations which the Board of Trustees may provide, and in a manner consistent with general University policies, the Faculty...

- Advises the President in the appointment of the Provost, the Vice Presidents and the Deans of the Colleges. The ~~officers of the~~ Faculty Council, in consultation with ~~the University Council~~ the Provost and the President, will appoint and/or elect committees members for this purpose. In the appointment of the College Deans, committees shall be populated with faculty broadly representing the college in which the Dean will be hired, including at least one representative from the administration appointed by the Provost.

Motion 3: FAPC Motions to Change the Role of the Provost and the President in Second and Third Year Reviews

Crafted by FAPC with feedback from the URC, Faculty Council, and Office of the President.

In recent years, one of the problems that has hampered the URC in the completion of its work is the difficulty of finding times to meet with the Provost and the President. To address this problem, the CRTP Report recommended the following:

To reduce the burden on the Provost and the President, we recommend the following changes in second and third year reviews. The Provost should only participate in problematic second and third year reviews. Problematic cases would be defined as those in which the URC, excluding the Provost, reaches a negative decision, experiences a tie vote, or otherwise decides that it is necessary to involve the Provost. The President would not be involved in second and third year reviews other than to report the outcomes of these reviews to the board at the appropriate time.

In order to make it easier for the URC to do its work, FAPC proposes the following amendments to the faculty handbook that reduces the roles of the Provost and the President in second and third year reviews: Additions to the handbook are underlined. Deletions are indicated in ~~strike through~~.

Motion 4a: Amend the faculty handbook as outlined below to change the role of the Provost in 2nd and 3rd year reviews:

III.K.2.

- ~~During October and November, †~~The University Review Committee reviews department recommendations and all relevant documentation.
- Normally, in the case of 2nd and 3rd year reviews, the Provost need not participate in URC reviews. However, the Provost shall participate in URC reviews in which the preliminary recommendation is negative, the vote is tied, or the URC requests the Provost's involvement.
- In the case of 4th, 5th, or 6th year reviews, the entire URC shall participate.
- In all cases, †the University Review Committee will formulate its own recommendations to be reported to the President. The President shall exercise the authority set forth under Section II.c.5 and in the case of tenure and promotion reviews will forward† the URC's recommendation to the Board of Trustees.

The final authority to grant appointments, promotions, and tenure rests with the Board of Trustees.

Motion 4b: Amend the faculty handbook as outlined below to change the role of the President in 2nd and 3rd year reviews:

III.K.2.

- On or ~~before~~ about December 1 for ~~2nd, 3rd, 4th~~, and 5th year reviews, and January 20th for tenure reviews, the President will apprise him/herself of the documentation which accompanied the department recommendations and will meet with the University Review Committee to discuss the Committee recommendations. The President is not typically involved in second and third year reviews.

Motion 4: That the faculty adopt the implementation plan for hiring with tenure, outlined below.

Implementation Plan for Hiring with Tenure Policy, version 3, 22 Feb 09

Drafted by CSP and FAPC

With feedback from CAFT, Faculty Council and the Office of the President

Principle: Bucknell will hire candidates at a senior level, and with tenure, only when it is necessary. Hiring with tenure is reserved for senior candidates, i.e., typically those who would be qualified for appointment at the rank of full professor. Appointments at the associate professor rank will normally not carry immediate tenure, but up to 4 years of experience towards tenure may be offered. This would allow them to be considered for tenure after one year at Bucknell.

Hiring with tenure should be rare, and should only be allowed in certain, specific, special cases. Here are times when these hires may be appropriate:

1. Building a new program or rebuilding an existing program.
2. Expansion into a new area that cannot be accommodated through an entry-level person.
3. Presidents and certain academic administrators.
4. Departments VERY short of senior, tenured faculty now or in the near future.
5. Need for a department chair that cannot be satisfied internally.
6. Hiring a person with tenure when attempts at entry level hires repeatedly fail.

Cases 4 through 6 above are particularly important when there is a need for established faculty in a department in order to hire new faculty more effectively at the entry level, e.g., hiring one candidate with tenure will make it easier to hire at the entry level in the future. The need for mentoring, support, collaboration, continuity, and leadership to keep departments functioning implies that cases will come up when hiring with tenure will likely improve the functioning of departments.

To allow flexibility, there will be no quotas on the number of positions filled through this policy, but the Committee on Staff Planning (CSP) will rigorously apply the criteria outlined above, thereby limiting the number of such positions.

The process for hiring with tenure will proceed as follows.

1. A department will determine that it desires to hire a candidate with tenure and that its rationale meets the criteria outlined above. The department should construct a proposal to the Committee on Staff Planning that details the reasons why they think they should be allowed to hire a candidate with tenure. Departments and program directors are encouraged to meet with the Dean to discuss their proposal. The proposal will articulate the department's expectations for documentation of teaching effectiveness, along with a plan for a successful hiring procedure, including a way for the on campus visit to include some component for the demonstration of teaching effectiveness. The proposal must include a job advertisement. The ad must contain the following language: "Finalists for this position who wish to be considered for tenure upon appointment will be asked to submit a complete tenure dossier."

2. CSP will consider proposals, and will forward its recommendations through the Provost to the President.
3. Once a department has identified the finalists for a position, departments will inform finalists that, if they want to be considered for hiring with tenure, they must prepare and submit a complete tenure dossier. The completed dossier would be due no later than the day of the conclusion of the on-campus interviews for the position. The dossier should include a CV and a self-statement that addresses teaching, scholarship and service. The dossier does not need to include external reviews of scholarship but it should include all scholarship from the most recent 6 years. Evidence of teaching effectiveness is required, typically including course evaluations from at least the last 3 years, course syllabi, and/or any other supporting materials.
4. Once the finalists have been approved by the Provost, s/he will inform the President that a tenure decision is likely to be needed as soon as possible after URC action. The President will then inform the chair of the Board of Trustees.
5. The search committee should act expeditiously to perform the following three tasks in order: 1) decide which candidate they want to hire, 2) decide whether or not to evaluate that candidate for hiring with tenure, and, if applicable, 3) constitute a DRC and prepare a DRC document reviewing the candidate for tenure. Ideally, all DRC members would be part of the search team. Due to time constraints, the DRC review is not expected to be formative and therefore it can be more abbreviated than a typical DRC document.
6. The candidate can be offered the position immediately, but a decision on tenure status must wait for the URC recommendation and Board of Trustees approval. Candidates may accept a position contingent upon the granting of tenure if they so desire.
7. After receiving the tenure dossier, including the DRC document, a subcommittee of the URC is charged with evaluating the hiring with tenure case and with making a recommendation to the President as soon as possible. The URC subcommittee will consist of at least four URC members, including the Provost, the Dean of the appropriate college, and at least 2 faculty members. A deadlocked vote would indicate a negative recommendation to the President and the Board regarding tenure.
8. The URC recommendation is forwarded by the President to the Board of Trustees for its action.