

## CAPT Report to the Faculty, 30 April 2004

Good afternoon. CAPT's annual report to the faculty will be followed by a resolution offered by CAPT and made by Prof. Opitz.

Each year, CAPT reports to the faculty the number of tenure and promotion cases it reviews. The number of positive recommendations made by CAPT is contrasted with the number of positive recommendations made to the Board of Trustees by the President. When these numbers do not match, the President has clearly differed with CAPT and the CAPT recommendation has been overturned. Such a situation is extremely serious and would normally happen only after lengthy discussion and after the president has presented to CAPT a detailed case for the extraordinary decision to overturn a CAPT recommendation.

CAPT is responsible to the faculty for upholding standards for tenure and promotion expressed by the Handbook criteria. Following extensive study and deliberation, CAPT reports its recommendations to the President. CAPT recommendations are preceded by a meeting with the Dean of the Faculty so that the Dean may offer opinions on each case. In keeping with CAPT procedures as determined by the faculty, CAPT does not reveal its own views on the case at this time. The President attends and may offer comments. These procedures have been established so that CAPT can execute the will of the faculty without undue influence from the administration. CAPT's final recommendation is always considered unanimous and is reported to the President.

**This year, CAPT read 11 tenure cases and made 9 positive recommendations. The President recommended 10 candidates for tenure. This year CAPT made 5 positive recommendations for promotion. The President recommended 6 candidates for promotion. Therefore, the President overturned 2 negative recommendations this year: one for tenure, one for promotion.**

This semester, after reporting his decision to CAPT, and in keeping with AAUP guidelines, the President offered to meet with CAPT for CAPT to hear him explain his decision to overturn one of CAPT's promotion recommendations. At the end of the meeting CAPT was told to expect further word from the President later the same day or early the next morning. Four days later CAPT discovered that the Dean and department chairs had been informed of the President's recommendations before CAPT had been notified.

The faculty, through CAPT, has primacy on issues of promotion and tenure. When a CAPT recommendation is overturned by the President, it should be done so only "in rare instances and for compelling reasons which should be stated in detail." (AAUP Guidelines) Any reconsideration of criteria for tenure and promotion needs to come from the faculty.

To put this in context, CAPT read annual CAPT reports since 1991-1992. It found that there was only one instance in which the President overruled CAPT on a tenure decision and NO instance of a President who overturned CAPT on a negative promotion recommendation. This year the President overruled CAPT twice. In both cases, the President overruled negative recommendations by CAPT. This suggests to CAPT that the President asserts other standards than those articulated in the Faculty Handbook by which CAPT is bound on issues of promotion and tenure. At the very least, this suggests that the President applies standards inconsistently.

**CAPT members believe that actions taken by the President raise significant issues of academic rights, substantively and procedurally. These actions are discourteous and constitute disrespect for the procedures in the FH. It is impossible for CAPT to continue functioning normally. We have two options – we must either tender our resignations to CFG, to be effective only after CAPT has met with the Board of Trustees Academic Affairs Committee, or we must refuse to conduct any further business with the administration until appropriate legislation designed to redress these issues is enacted.**

CAPT recommends that the faculty proceed with legislation to strengthen the Handbook's statements on a number of issues, including:

- An affirmation of the AAUP guidelines concerning faculty primacy in the areas of promotion and tenure
- Confirmation on the nature of interactions between CAPT and the administration when discussing tenure and promotion cases before final decisions are made

CAPT suggests that present and former members of CAPT meet as soon as possible in order to craft appropriate draft legislation so that it can be brought to the faculty in September 2004 and voted upon in the following October.

CAPT offers the following resolution TO HELP FUTURE CAPTS AND THE PRESIDENT AVOID A SITUATION LIKE THIS IN WHICH TRUST BETWEEN CAPT AND THE PRESIDENT HAS VANISHED. . . .  
(this is the outcome of CAPT's report and requires no second since it comes from committee; this is not a matter of policy):

BEFORE LARY INTRODUCES CAPT'S MOTION, I WOULD LIKE TO THANK THE FACULTY ON BEHALF OF CAPT FOR THE HONOR AND PRIVILEGE OF SERVING THE FACULTY. I WOULD LIKE TO THANK CAPT MEMBERS, THIS YEAR'S MEMBERS AND PAST MEMBERS, FOR THEIR HARD WORK, DILIGENCE, INTEGRITY, AND DEEP SENSE OF DUTY AND FOR THEIR STEADFAST COMMITMENT TO ENSURING PROPER PROCEDURES.

THIS YEAR'S CAPT DID NOT ASK TO BE IN THE DIRE SITUATION IT NOW FINDS ITSELF. THE COMMITTEE WORKED ASSIDUOUSLY TO UPHOLD THE STANDARDS AND PROCEDURES THE FACULTY OWN FOR EVALUATION OF TENURE AND PROMOTION.

WE HAVE TO ACT ON PRINCIPLE NOW TO ENSURE THAT A FUTURE CAPT DOES NOT GET TRANSFORMED INTO SOMETHING IT WAS NOT MEANT TO BE. LARY-----