

MOTION

The Committee on Appointments, Promotion, and Tenure (CAPT) proposes the following changes (in red) to the "Appeal of Negative Tenure Decisions" Part I, Article VIII, Section E, Number 7, b and f.

7. Appeal of Negative Tenure Decisions

b. The Tenure Appeal Committee will hear testimony from an advocate designated by the candidate. The advocate may be a person in the candidate's department, the candidate's Chair, a Skidmore faculty member outside the candidate's department, or someone outside the College. **The advocate may not be an attorney.** By request, the advocate may be informed why tenure was not initially recommended by CAPT and/or the President at a joint meeting of the President, the Dean of the Faculty/Vice President for Academic Affairs, the Associate Dean of the Faculty for Personnel, Development, and Diversity, the Chair of CAPT, the candidate, and the advocate. The advocate, in the presence of the candidate, has the right of access but may not photocopy the materials which CAPT had in its original deliberations. Whenever testimony is given by the candidate or the advocate, both shall be present.

f. The Tenure Appeal Committee shall convey its written recommendation **based on a simple majority vote of the nine members** to the President upon completing its deliberations.

RATIONALE: The proposed change in "b." makes the Faculty Handbook congruent with the language in the Tenure Appeal Committee's operating code. This language is also consistent with all other internal processes that do not allow attorneys (DISCIPLINE AND DISMISSAL OF TENURED FACULTY and PROCEDURES FOR RESOLVING COMPLAINTS OF HARASSMENT OR DISCRIMINATION AGAINST FACULTY MEMBERS).

The proposed change in "f." clearly defines the voting procedures. At the tenure moment, CAPT consists of six voting members and a positive recommendation requires at least four votes in favor of tenure, or a 2/3 majority. The Tenure Appeal Committee consists of nine members and if the 2/3 fraction were retained for a positive recommendation, at least six voting members would have to vote in favor of tenure. The alternative is to use a simple majority, five of nine votes in favor of tenure.