

Spring 2021

ATC-CAFR-TRB Motion: Background

Appointments and Tenure Committee

Committee on Academic Freedom and Rights

Tenure Review Board

- The current process for review of a negative tenure decision
- Limitations to this process
- Guiding principles in considering alternatives
- Outline of the process for developing this proposal
- The proposed process for review of a negative tenure decision
- Next steps

The current process for review of a negative tenure decision

Candidate is informed of a negative tenure decision after review by Departments/Programs, the Appointments and Tenure Committee (ATC), the DOF/VPAA, and the President.

Candidate believes there was
“Inadequate consideration”

Tenure Review Board (TRB)

Three faculty tenured for at least two years, at least one of one of whom has served on ATC/CAPT



Original tenure decision stands.



Case is reconsidered by the **Tenure Appeal Committee (TAC)**, consisting of the members of TRB plus the members of ATC. The timeline and process is described in the Faculty Handbook.

Candidate believes there was
a violation of academic freedom or rights

Committee on Academic Freedom and Rights (CAFR)

Four faculty, at least two tenured and one untenured



No specific timeline or outcome is described in the Faculty Handbook, other than a possible letter to the president with recommendations (the usual outcome of a CAFR case).

Limitations to this process

- It is not clear exactly how to define the difference between “inadequate consideration” and “violation of freedom and rights.”
 - What is the purview of TRB versus CAFR? Should all candidates go to both?
 - What if a legitimate reason to reconsider the case slips between the cracks?
- In contrast to TRB, CAFR cannot call a TAC and has no official role or timeline in the tenure review/appeal process outlined in the Faculty Handbook. There is no official mechanism for the information gleaned by CAFR to be considered in the tenure/appeal process.
- The majority of TAC members are the seven members of ATC who just participated in the case.

Guiding principles in considering alternatives

- Clarity in the process. Lack of clarity introduces inequities for candidates as well as frustration for all involved.
- Protection for candidates in terms of consideration of their rights and adequate “fresh eyes” to consider the case.
- Feasibility from a faculty governance standpoint.
- Maintaining expertise and knowledge:
 - Expertise in considering violations at the review stage.
 - Expertise in considering cases.
 - Knowledge about that particular case at the appeal stage.

Outline of the process for developing this proposal

Academic year 2018-2019

CAFR, ATC, and TRB discuss the limitations of the current system and the guiding principles for improving it, and brainstorm possible options for improving the process, including creating specific timelines for different scenarios in which CAFR has a more well-defined role in the process.

Academic year 2019-2020

ATC investigates how tenure appeals are handled at 14 peer institutions.

CAFR, ATC, and TRB continue to brainstorm options for how to modify the role of CAFR, and consider how the TAC might be redefined.

Academic year 2020-2021

CAFR, ATC, and TRB narrow down the options, consult with FEC and the DOF/VPAA, and refine the proposal

The proposed process for review of a negative tenure decision

Candidate is informed of a negative tenure decision, after review by Departments/Programs, the Appointments and Tenure Committee (ATC), the DOF/VPAA, and the President.

Candidate believes there was a problem with the process and their tenure case should be reconsidered.

Tenure Review Subcommittee of CAFR (TRS)

Three tenured faculty members who are on CAFR. (This necessitates requiring that three, not “at least two” CAFR members are tenured.) All tenured members of CAFR participate in the same anti-bias training sessions each fall as the members of ATC currently do.



Original tenure decision stands



Case is reconsidered by the **Tenure Appeal Committee (TAC)** following the procedure outlined in the FHB. The TAC contains:

- **Current Chair and upcoming Chair of ATC**
- **Current Chair and upcoming Chair of TRS**
- **Three former members of ATC/CAPT**, identified according to the current process for soliciting ATC substitutes.

Next Steps

Online discussion

Skidmore Exchange on Forumbee.com

“CAFR-ATC-TRB proposal 2021” under ACADEMIC AND COURSE SPECIFIC FORUMS

Open forum via Zoom

Friday, May 7 2:00-3:00

Discussion and vote at May 19 faculty meeting

Please feel free to get in touch with any member of ATC, CAFR, or TRB with questions!

Appendix: Why not require someone on CAFR to have ATC/CAPT Experience?

Too hard to staff. The Fall, 2021 incoming TRB member with ATC/CAPT experience had to be appointed, not elected.

- 20 faculty who are former ATC/CAPT members
- Cohorts A & C currently have 1 eligible individual; B has 2; D, E, & G have 3; F has 7
- While off-cycling current members may improve the situation, there is no path forward for *any* election on Cohort-C years, and retirements etc.. are likely to offset any change

However, **the TRB always consults with the Chair of ATC** regarding the case, and we plan to continue this in the operating procedures for the TRS. So this mechanism for understanding the functioning of ATC remains in place.

	First committee	Second committee	Third committee	Fourth committee	Fifth committee
	Pre-tenure (ad-hoc)	Tenured, Year 8-10	Tenured, Year 15-17	Tenured, Year 22-24	Tenured, Year 29-31
Committee	not-ATC	ATC	CAFR-eligible	CAFR-eligible	CAFR-eligible
	not-ATC	not-ATC	ATC	CAFR-eligible	CAFR-eligible
	not-ATC	not-ATC	not-ATC	ATC	CAFR-eligible

Appendix: Won't requiring three tenured individuals be a big change for CAFR?

- Current requirement is "at least one of whom is untenured at the time of their election and at least two of whom are tenured"
- Jess Sullivan (current Chair of CAFR) serves the untenured role currently; incoming individual who fills that role is nevertheless associate.
- Current cohort system doesn't require three-year committee service pre-tenure, so untenured members are likely either going to be one-year fill-ins or individuals who opt into doing their service early.

	Tenured	Assistant	Untenured	Notes
2021-2022	3	0	1	
2020-2021	4	0	0	
2019-2020	3	1	1	
2018-2019	3	1	1	
2017-2018	3	1	1	
2016-2017	2	2	2	
2015-2016	4	1	1	*Five members
2014-2015	2	3	3	*Five members
2013-2014	4	1	1	*Five members