

Reform of the Promotion and Tenure Process

for discussion at a
Special Meeting of the UD Faculty Senate
to be held on April 29, 2013

Background:

In 1996, we created a new category of faculty to replace individuals teaching multiple courses on supplemental (or “S”) contracts. This reform proved beneficial to both the University and those who formerly taught on S contracts; however, when we made this improvement we did not consider carefully how to best provide the new category of “continuing non-tenure track faculty” (commonly referred to as “CNTT” faculty) with opportunities for promotion. Instead, we attempted to treat all faculty the same rather than account for the diversity of contributions our faculty make to the missions of the university.

As a result of this reform, there are two distinct categories of faculty at the University: tenure-track faculty who are hired to conduct scholarly research, teach and perform service; and continuing non-tenure-track faculty who are hired to perform specific specialized tasks—i.e., instruction, clinical work, funded research, or public service. Non-tenure track faculty generally have fewer expectations regarding scholarship than tenure-track faculty in the same unit. Some CNTT faculty do not teach but rather conduct funded research in labs, engage in clinical instruction, or perform service.

The number of non-tenure track faculty at the University has increased since 1996, and they are now an essential part of the faculty. As of November 2012, there were 281 non-tenure track faculty, consisting of 128 non-tenure track assistant professors (100 of whom were continuing non-tenure track assistant professors and 28 temporary non-tenure track assistant professors), 41 continuing non-tenure track associate professors, 6 temporary non-tenure track associate professors, and 7 continuing non-tenure track full professors. Continuing non-tenure track faculty now comprise 19% of the faculty and temporary non-tenure track faculty another 5%. During the same period, there were 172 tenure track assistant professors, 310 tenured associate professors, 4 tenure-track associate professors, and 424 tenured full professors. (See [chart](#))

The Standard for Promotion:

Despite the differences between non-tenure track and tenure track faculty, we have not revised the standard for promotion. The Faculty Handbook requires that *all* candidates for promotion and/or tenure (regardless of their workload) demonstrate evidence of “excellence” in *either* scholarship (broadly defined to include research, publication,

creative activities, and artistic activities) *or* teaching *and* also demonstrate “high quality” in all areas (i.e., teaching, service, and scholarship). Section 4.4.2 (“Minimum Standards for Promotion”) (“At a minimum, the individual should show excellent achievement in scholarship or teaching and high quality performance in all areas.”) Furthermore, individual departments may require a candidate for promotion and/or tenure to demonstrate excellence in *both* teaching and research. Section 4.4.1 (“Faculty Promotion and Tenure”) (“Departmental documents should also include the procedure for choosing the departmental promotion and tenure committee and should specify required levels of achievement for each rank, such as excellence in research or teaching or in both.”) Some departments require that candidates for promotion and tenure demonstrate excellence in scholarship and do not allow for a promotion based on excellence in teaching—although there has been some dispute whether this is permissible under the current language of the Faculty Handbook. Regardless, proficiency in scholarship and teaching is required of *all* faculty seeking promotion—including CNTT faculty who were not hired to conduct scholarship or teach. This makes promotion difficult, if not impossible, for these CNTT faculty.

Complicating the matter, Article 11.5 of the Collective Bargaining Agreement (“CBA”), effective July 1, 2010, includes a requirement that in the promotion and tenure process, the “weights” assigned to teaching, service, and scholarship must be proportionate to the candidate’s workload. This provision seemingly conflicts with the aforementioned provisions in the Faculty Handbook. Putting aside such conflict, the current standard (focusing on scholarship, teaching, and service) does not always work well for tenure track faculty either. For example, the current standard permits tenure track faculty hired for scholarship (and given a research sabbatical and an administered workload of reduced teaching) to “come up” for promotion and tenure based on their teaching. This seems to contradict the notion that tenure track research faculty should be evaluated on the basis of their scholarship at a national research institution.

It is time we address these thorny issues. How do we account for the diversity of faculty responsibilities in making promotion decisions? Do we need different standards for evaluating non-tenure track faculty and tenure track faculty in the promotion process? Should we adopt a new standard to replace the current standard, which applies to *both* categories of faculty? Should promotions to associate and/or full professor be limited to those who demonstrate excellence in scholarship? Finally, should the titles of the two categories of faculty be the same or should CNTT faculty hold titles that reflect the specialized tasks that they perform?

Options?

There are several ways to proceed, recognizing that reasonable persons will have different opinions—and different universities will adopt different standards. Some possible approaches simply will not work at our University. For instance, we are a public university, and faculty are public employees. As such, tenure (and perhaps promotions) could awarded to all faculty after a certain number of years of service under

a civil service system designed to protect public employees. Such an approach is not mandated by Delaware state law and is not likely to be very appealing to most faculty, although it does provide some perspective as to the purpose of tenure—job security. Another egalitarian approach would be to abandon *all* titles and ranks. Also not a very attractive system for a prominent research institution. Why? Like it or not, universities are hierarchical organizations based on merit and achievement. Not all candidates will be granted tenure; not all candidates will be promoted; not everyone will become a full professor. Faculty salaries are not equal. That said, we still should have the best possible system of promotion and tenure, and this requires that we reevaluate the standard that we follow in evaluating and rewarding faculty for achieving excellence in their academic endeavors.

What are our options? The first is to do nothing. In fact, that is what we have been doing for decades—muddling through. Inaction leaves us with a few difficult promotion and tenure cases each year, but the vast majority of candidacies will not raise these problems. We could live with that. Still, we can do better.

Second, the Faculty Handbook could be amended to require that a candidate's workload must be considered in promotion decisions. Non-tenure track faculty who are hired to teach four classes a semester would be eligible for promotion solely on the basis of excellence in teaching, and if promoted, would have a title that is indistinguishable from tenure-track faculty who were promoted for excellence in scholarship. We need to decide whether that is appropriate or whether different titles for the two categories of faculty is more appropriate. At a minimum, we must recognize the confusion that results from having two categories of faculty with different credentials and workloads but the same titles.

A third approach is to reenact the University's own policies from the mid-1970s. Senator Morgan has brought to our attention an article published in *The Review* on October 26, 1976 describing a conflict between the AAUP and the provost. ([view](#)) Amazingly, the union and the provost were debating the exact same issues then. Plus ça change, plus c'est la même chose. Apparently, the University had just adopted a new policy on tenure, and its application was disputed by the union. But what is most interesting and relevant, according to the article the standard for promotion in 1976 required that *all* candidates demonstrate excellence in two of the three categories of workload (scholarship, teaching, and service)—and one of those had to be scholarship. As such, promotions in rank were limited to those who conducted scholarly activities. Period. At the same time, teaching faculty (diplomatically described by Provost Campbell as those “with special qualifications and special abilities”) were eligible for “tenure at rank” (i.e., tenure but no promotion in academic rank). As such, teaching faculty could not hold or be promoted to a rank above assistant professor but were eligible for tenure. This is exactly the opposite of what we do now. Today, we deny CNTT faculty the protection of tenure but give them the opportunity for promotion in rank—and then effectively exclude them from such promotions based on the requirement for proficiency in scholarship. We then give them five-year “rolling”

contracts that offer much the same protection as tenure. Arguably, the policies in effect in 1976 made more sense than what we do now.

Consider a fourth approach. This begins by recognizing that the two categories of faculty are distinguished by their different workloads, and that accordingly, they should be rewarded, promoted, and titled differently. We need a system that rewards the important contributions of CNTT faculty to the University while not discouraging scholarship. In furtherance of this objective, a package of four proposals is offered. This package reflects the perspective of senior tenured faculty who wish to support, encourage, and reward scholarship—while at the same time allowing promotions for CNTT based on their workloads.

The first proposal in the package offers a new standard for promotion and tenure. This standard would apply to *all* faculty and would allow CNNT faculty to be promoted in rank. Second, given that CNTT faculty would be eligible for promotion, different titles for CNTT faculty are also proposed. These titles reflect the specialized tasks performed by CNTT faculty. Tenure track and tenured faculty will continue to hold the traditional academic titles of assistant, associate, and full professor. Third, a promotion in rank for instructors should be considered. Promotions for instructors would be governed by the new standard set forth in the first proposal and would provide an opportunity that is not presently afforded instructors. The fourth proposal would limit the rank of full professor to those who demonstrate excellence in scholarship. No doubt, this would prevent some non-tenure track and tenure track faculty from achieving a promotion to this academic rank.

The Faculty Senate, the faculty union, and the Office of the Provost are invited to deliberate on these issues and consider other approaches and solutions as well. There is no need to vote on these proposals at this time—unless there is an overwhelming consensus that this is the right way to proceed. It will be enough if we begin a serious conversation and identify our options.