

Senate Advisory Committee on Privilege and Tenure
Annual Report
2014-2015

The Senate Advisory Committee on Privilege and Tenure (SACPT) held two formal meetings in the previous year: November 14, 2014 and December 1, 2014. Both meetings pertained to a formal appeal made by a faculty member who was given a terminal contract prior to tenure evaluation. The SACPT made a recommendation to the university president in response to this appeal on December 17, 2014. On February 13, 2015, the university president asked that the SACPT make an additional recommendation based on a specific aspect of this appeal case; a SACPT reply to this request was sent to the president on March 1, 2015. Below we summarize the details of the appeal.

Appeal to the SACPT

The formal appeal alleged that the department chair did not follow correct procedure in deciding to give a terminal contract. The appeal contained specific examples that described in detail the lack of adherence to established procedure for termination. Our committee met with the faculty member on November 14, 2014 so that we could go through her full appeal folder and ask questions. Since we wanted to more fully understand the situation in the department, we invited the faculty member's chair to also come to a second committee meeting so we could ask questions of him as well; that took place on December 1, 2014.

After meeting with both the faculty member and chair and reviewing the documentation (including not only the appeal documents submitted by the faculty member but also the applicable university governing regulations), the committee concluded lack of adherence to the relevant governing regulation (GR VII, B5) was a violation of the intended procedure for deciding to give a terminal reappointment to an untenured faculty member. In light of this violation, on December 17, 2014, the SACPT recommended to the university president:

“It is the recommendation of the SACPT that ██████████ have the current academic year of her probationary period reinstated as a regular contract year rather than a terminal contract year. This modification would be an acknowledgement of the deviation in the procedures outlined in GR VII, B5.”

The SACPT was contacted by the university president on February 13, 2015, and asked to make a recommendation on whether the faculty member should be given a terminal contract. In his letter, the president said he ‘would appreciate your recommendation on the ultimate substantive question: should ██████████ receive a terminal contract?’ Our committee consulted with the chair of the Senate Rules and Elections Committee, who confirmed our understanding of the charge of the SACPT. We responded to the university president on March 1, 2015, underscoring that the role of the SACPT is limited to consideration of issues of academic freedom, privilege or procedural noncompliance. Under this charge to our committee from the University Senate, we reaffirmed our recommendation from December 2014, namely that a commensurate remedy to the procedural noncompliance in this instance would be that is that the 2014-2015 academic year

appointment for the faculty member filing the appeal be a regular reappointment, and not a terminal contract.

Recommendations

As a result of this appeal, the committee recommends that department chairs ensure that all procedures are strictly adhered to when a terminal contract is being considered for any faculty member.

Submitted on behalf of the 2014-2015 SACPT members, Stephanie Aken, Chris Bollinger, Craig Carter, Raphael Finkel, Brian MacPherson, Lee Meyer, Sue Roberts, Dexter Speck, Ginny Sprang and Mary Kay Rayens (Chair).