

## **Minutes of the Faculty Meeting**

**March 1, 2011**

Following an executive session, the meeting was convened at 4:12 p.m., and the customary motion to adjourn not later than 6:00 p.m. was approved subject to amendment, as were the minutes of the February meeting with amendments as accepted.

Professors Gans (Community Health) and Clifton (Engineering) presented Memorial Minutes for the late Professors Thomas Lasater and Jan Tauc, and the Memorial Minutes were approved by the faculty by standing votes of respect.

Professor Garcia Coll began the Faculty Executive Committee (FEC) report by asking President Simmons to join her in presenting the President's Award for Excellence in Faculty Governance to Professors James Baird (Chemistry), Philip Leis (Anthropology) and Joan Richards (History).

For the FEC, Mr. Patterson announced the University Resources Council (URC) ballot election results and moved the following nominations, which were approved without dissent:

Faculty elected by electronic ballot to serve on the URC effective immediately:

University Resources Committee (URC)

James Morgan (Cognitive, Linguistic and Psychological Sciences) replacing

David Sheinberg (Neuroscience) to 2/28/14

Olakunle George (English/Africana Studies) replacing Jan Hesthaven (Applied Mathematics) to 2/28/14

Nominations recommended to the Faculty for committee appointments to be effective immediately:

Committee on Faculty Equity and Diversity (CFED)

Michael Satlow (Judaic Studies) replacing Marida Hollos (Anthropology) 6/30/11

Andrea Simmons (Cognitive, Linguistic and Psychological Sciences) replacing Peter Heywood (MCB) 6/30/11

Graduate Council

William Suggs (Chemistry) replacing Meinolf Sellman (Computer Science) to 6/30/13

Dean Wetle brought to the floor the motion numbered 5 in the Agenda:

The Faculty acknowledges receipt of the report from the Academic Priorities Committee endorsing a proposal to create a Masters Degree Program in Clinical and Translational

Research. The Faculty recommends to the President and Board of Fellows that a Masters Degree Program in Clinical and Translational Research be established.

After discussion about the meaning of “translational,” the motion was approved unanimously.

Professor Garcia Coll brought to the floor the motion numbered 6 in the Agenda, explaining that the text of Motions 6, 7, and 8 differed from that printed in the Faculty Agenda in that each motion begins as revised:” That the Faculty amend the Faculty Rules & Regulations....” rather than “That the Faculty recommend to the Corporation the amendment....”

**MOTION:** That the Faculty amend the Faculty Rules and Regulations in Part 4, Section 10.I.D.5-6, concerning the Tenure Review and Procedures, and in Part 5, Section 11.I.A, by deleting the existing language and replacing it with the proposed new language effective July 1, 2011.

**RATIONALE:** This motion proposes changes to the *Faculty Rules & Regulations* with regard to Tenure Review and Procedures and the Corporation Rules on the Conditions of Tenure and Faculty Reappointments consistent with the principles the Faculty Executive Committee recommended and the Faculty adopted at the December 7, 2010 Faculty meeting.

## **Faculty Rules and Regulations**

### **Part 4: Faculty Resolutions, Policies, and Procedures**

#### **Section 10.I.D.5 - 6**

#### **5. Tenure Review**

Any untenured member of the faculty who holds tenurable rank at Brown, and whose full-time service at Brown amounts to five years or more, must have a full tenure review before an academic unit can make a recommendation for or against promotion to tenured rank. As stated above, the written criteria for evaluating scholarship, teaching, and service shall be provided to the candidate, and to the Dean of the Faculty and (if appropriate) the Dean of Medicine and Biological Sciences.

Before a recommendation is made for tenure, the untenured faculty member has the right to: (1) a written statement of the academic unit’s criteria for recommending tenure and the procedures used in making such recommendations; and (2) an explanation of the academic unit’s needs as far as these may affect his or her tenure. At the time of the recommendation, the candidate shall be notified in writing of the recommendation and, in the case of a negative recommendation, of the number of votes for and against and the reasons for the academic unit’s decision. As outlined in the section concerning the Committee on Tenure, Promotions and Appointments, the individual also has the right to present written material in person and/or in writing to such Committee.

## 6. Tenure Procedures and Recommendations in Divisions, Departments, Programs and Centers:

### a. Initial Academic Unit Procedure

i. No later than ~~November 1~~ **April 15**<sup>1</sup> of the ~~sixth~~ **year preceding the penultimate** year of the candidate's probationary period<sup>2</sup> (~~assuming a probationary period of seven years~~), the academic unit Chair, in consultation with the candidate, shall select no less than a three person "tenure committee" to guide the evaluation procedure (the "tenure committee" shall be smaller if there are fewer than three tenured faculty within the academic unit). The Chair may or may not be a member of the "tenure committee" and the head of the committee may be a tenured person in the academic unit or the unit's Chair or Director.

ii. As soon as the "tenure committee" has been selected, ~~which is normally during the first week in November~~, the academic unit Chair/Director will convene a meeting of all tenured faculty of the unit and outline the procedures to be used in the evaluation for tenure. Where a candidate for tenure holds a joint appointment, each academic unit in which the individual has an appointment may have a separate tenure committee meeting and make separate evaluations and recommendations. As an alternative, the academic units may form a joint tenure committee with faculty from all units involved as members.

iii. The "tenure committee," in consultation with the candidate, will be responsible for assembling the candidate's tenure dossier. This process should begin as soon after ~~November 1~~ **April 15** as possible. This dossier will ultimately carry the academic unit's recommendation on promotion to tenure, and will be kept permanently in the files of the Dean of the Faculty. It will contain the following:

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<sup>1</sup> **This and other dates are intended as guidelines and are intended to ensure that all reviews are concluded early enough to enable the University to give notice to the appointee of the action it intends to take at least twelve months before the expiration of the term appointment. If the end date of the appointment is other than June 30, the timeline will be adjusted accordingly. For external candidates, the timeline as well as some of the procedural steps specified for internal candidates for tenure may vary from what is described in the following.**

<sup>2</sup> The current Corporation policy with respect to how this time is counted (Faculty Rules, 2.1--15 March 1988, p.100, #8) (See Part 5, Section 11, I.A.8.) reads "Untenured faculty members may serve no longer than ~~seven~~ **eight** years of full-time faculty service or its equivalent in tenurable ranks at Brown University. After ~~seven~~ **eight** years of full-time faculty service or its equivalent at Brown University, such appointments must either be tenured or the appointment in tenurable rank is terminated, except that extensions of up to two years may be granted by the Dean of the Faculty (or the Dean of Medicine and Biological Sciences) for care of a newborn child or a newly adopted young child, or for other extraordinary circumstances. An interruption of a term of service for a medical leave, in accordance with University policy, no matter what its length, shall not be counted as part of the probationary period." ~~How this statement is construed as to whether leaves, other than medical, count as "full time faculty service or its equivalent in tenurable ranks at Brown University" is a matter of department policy, so long as that policy is consistently applied. Candidates should clarify how their time is being counted with their Department Chairs.~~

a) *an updated curriculum vitae;*

b) *a list of individuals outside the University who should be well acquainted with the candidate's field(s) of scholarship;*

c) ***no fewer than eight** letters of reference, including the academic unit's letters of solicitation; and a statement of how each referee was chosen;*

d) *materials pertaining to the evaluation of the candidate's teaching performance and contributions to the curriculum, including summary tabulations of semesterly teaching evaluations;*

e) *records of the candidates service to the University;*

f) *copies of all minutes of meetings and correspondence of the academic unit, which bear upon the question of the candidates' promotion to tenured rank.*

iv. In addition, the "tenure committee" will assemble, in consultation with the candidate, a complete file of scholarly publications and material submitted for publication as supplied by candidate to be considered by the "tenure committee" and made available for reading to all tenured members of the academic unit. The "tenure committee" will also assemble a file of material on teaching performance gathered in accordance with the procedures outlined in its program for teaching evaluation filed with the Deans of the Faculty and/or Medicine and Biological Sciences. The "tenure committee" will make these materials available (publications and teaching evaluation materials) to the Tenure, Promotion and Appointments Committee on request.

v. Not later than ~~December 1~~ **May 1** of the ~~sixth~~ year **preceding the penultimate** year, the candidate shall supply the "tenure committee" with a list of distinguished outside scholars who ~~are well acquainted with~~ **would be appropriate external evaluators of** his or her scholarship. **The candidate shall be given an opportunity by the tenure committee to provide a written list of individual scholars who should not, in the candidate's opinion, be solicited for evaluations; this list should state the reason(s) for excluding each individual, and this list should be included with the tenure dossier.**

vi. At the same time, the "tenure committee" ~~may select other~~ **will independently assemble a list of** individuals who are acknowledged scholarly and/or educational leaders in the discipline from whom to seek confidential written comments on the quality of accomplishment of the individual under review. ~~Before writing these individuals, the Chair of the "tenure committee" shall inform the candidate of the additional names, and the candidate may lodge such objections as he or she may have not later than December 15 of the sixth~~

~~year. The “tenure committee” shall write to a number of persons suggested by the candidate, as well as those added by the “tenure committee,” for confidential letters of reference. In consultation with the candidate, the Chair of the “tenure committee” shall decide on how many people will be asked to serve as referees. At least five letters should be received from individuals who are not on the Brown faculty.~~

**vii. After reviewing the candidate’s list of suggested evaluators and objections, the department shall compile a single combined list, to include no fewer than three names from among those suggested by the candidate. This list, which is not shared with the candidate, shall be forwarded to the Dean of the Faculty or the Dean of Medicine & Biological Sciences, along with brief biographies of the referees explaining their qualifications to serve, for review, no later than June 1 of the year preceding the penultimate year. The Dean shall review the list in consultation with the department and may recommend to the department additional referees.**

**viii. After the list of referees has been finalized, a representative from the academic unit (either the Chair or a member of the tenure committee) shall contact each to determine whether he or she is willing to serve. The department shall thereafter send a standard formal request for evaluation of the candidate to each referee, conforming to the template published on the Dean of the Faculty website.**

~~vi. ix.~~ A statement of the contents of the dossier (~~including the names of all referees but not the contents of their letters~~) shall be given to the candidate no later than ~~February 1~~ **November 1** of the ~~sixth~~ **penultimate** year, so that the candidate may complete or supplement it with additional material, if necessary.

~~viii. x.~~ The academic unit’s recommendation shall not be made without a complete dossier for the candidate, unless the candidate fails to submit the required materials by ~~February 15~~ **November 15** of the ~~sixth~~ **penultimate** year.

~~viii. xi.~~ Documented efforts must be made to secure the maximum participation of the tenured faculty of the academic unit, as required in the evaluation and recommendation process. The candidates’ dossier shall be sent to those tenured faculty members in the academic unit not in residence not later than ~~March 1~~ **December 1** of the ~~sixth~~ **penultimate** year. Copies of any of the materials or publications held by the “tenure committee” shall be sent to such members on request. Those tenured faculty not in residence shall be requested to send written statements concerning the candidate to the Chairperson of the “tenure committee” no later than ~~March 15~~ **December 15** of the ~~sixth~~ **penultimate** year, but failure to receive statements from absent members shall not prevent completion of the evaluation and recommendation process.

## **b. Making the Recommendation**

i. At a meeting of the tenured faculty, called with at least a week's notice, the candidate's "tenure committee" will present the evidence on scholarship, teaching, and service. The tenured faculty will further discuss the evidence and take a vote which will be recorded and which will be the basis of the academic unit's recommendation to the Committee on Tenure, Promotions and Appointments. This recommendation shall be made in writing and indicate the quorum the Department has established as necessary to make such decisions.

ii. The academic unit's recommendation, together with the reasons therefore, whether positive or negative, shall be made and forwarded with the tenure dossier (described above) to the Committee on Tenure, Promotions and Appointments no later than ~~April 1~~ **January 7** of the ~~sixth~~ **penultimate** year.

iii. The following documents shall be forwarded to the Committee on Tenure, Promotions and Appointments:

*a) the candidate's dossier (as specified above);*

*b) the Department's recommendation, including reasons, and in the case of a negative recommendation the votes, signed by the academic unit Chair/Director and the Chair of the "tenure committee";*

*c) a certification by the "tenure committee" Chair that the academic unit's and University's standards and procedures for tenure review have been applied; or, if they have not, the reasons therefore and what different standards and procedures were used;*

*d) a copy of any specific supplement of the academic unit to the University's standards and procedures for contract renewal and tenure not already on file in the Office of the Dean of the Faculty.*

**c. When it leaves the academic unit, the recommendations shall contain the following:**

~~i. For promotions to tenure, a statement that an opening exists at that level, according to the academic unit's staffing plan and needs, must be provided. If no opening exists, a careful and thorough statement why this case requires an exception in the interests of both the academic unit and the University as a whole must be offered.~~

~~ii.~~ A review of the candidate's scholarship and intellectual development giving:

*a) a description of the distinctive nature, reputation, and influence of his or her published work, if any;*

*b) an evaluation of that work with respect to the goals and structure of the academic unit;*

*c) a description and evaluation of unpublished work, completed or in progress, if any;*

*d) a description of the potential development and influence of the person's scholarship on the discipline, the academic unit and the University at large.*

iii. A review of the candidate's teaching record at Brown,

*a) describing teaching activities — i.e. specific courses taught, enrollment, independent study supervised, undergraduate and graduate theses supervised;*

*b) evaluating the candidate's teaching effectiveness with respect to various formats and levels of instruction; and describing students' evaluations of the candidates' teaching, with any explanatory comment summarizing the findings of the academic unit's program of teaching evaluation;*

*c) describing any specific contributions the person has made either to the academic unit or the University curricula, or to the academic unit's continuing concern for its teaching effectiveness if any.*

iv. An assessment of the candidate's personal and intellectual service to both Department and the University.

v. An estimate of the candidate's potential for further professional growth.

#### **d. Procedures following Transmission of the Recommendation to the Dean of the Faculty**

After a recommendation by an academic unit for or against promotion to tenured rank has been made, administrative action is initiated by the receipt, in the office of the Dean of the Faculty, ~~of the originals and eleven collated copies of the materials described above, a properly filled-out status sheet,~~ and any examples (in single copy) of the candidate's published scholarship and teaching performance which may be useful to the Dean and his or her colleagues in their review.

Receipt of the submitted materials will be acknowledged by the Office of the Dean of the Faculty. The materials will be examined by the Dean's Office for completeness. If the Dean concludes that any materials are lacking or that further materials might be useful to fairly evaluate the

candidate and the field of study, he or she will request them from the “tenure committee” of the candidate or from other experts in the field.

The Dean will then schedule a formal discussion of the recommendation by the Tenure, Promotion and Appointments Committee. Copies of the dossier (to which has been added the academic unit’s recommendation) will be distributed well in advance of the Committee’s discussion to the members of the Committee. Materials not suitable for copying will be retained in the Dean’s office for use by members of the Committee and a list of those materials will be distributed with the copies of the dossier. The Chair of the “tenure committee” and the Chair of the Department will be contacted by the Dean’s office to confirm the scheduling of the discussion and to ascertain their availability, if the committee wishes to consult with them during the meeting.

Faculty Rules & Regulations

**Part 5 Corporation and Administrative Policies**

**Section 11. University Regulations**

**I. Pertinent Corporation Rules relating to the Faculty**

**A. Conditions of Tenure and Faculty Reappointments**

NOTE: The following is Part I of a statement on Tenure and Reappointments recommended by the Faculty to the Corporation on May 24, 1977 as a replacement for the statement of May 30, 1959, and subsequently amended (cf. pp. 33-34 of the September 1974 edition of the *Faculty Rules and Regulations*.)

On June 4, 1977, the Corporation voted “That Part I of the Statement on Tenure and Reappointments adopted by the Faculty at its meeting on May 24, 1977, be accepted and made the policy of the University.”

Part II, referring to the Committee on ~~Faculty Reappointments and Tenure~~ **Tenure, Promotions and Appointments**, is found in 2,VI,E, above.

For the purposes of this statement “faculty” refers only to those individuals who are primarily employed in teaching and/or research or who have tenure.

1. The awarding of tenure at Brown University determines permanent membership in the professorial faculty. It conveys both a status and a contingent right, the assurance of continuous academic employment until retirement.

2. A tenured appointment may not be terminated by the Corporation except for adequate cause and after the appointment holder has been accorded the rights of due process as prescribed in Section 11,I,B.

3. All Faculty appointments are either tenurable or untenurable. A tenurable appointment may not be changed to an untenurable appointment to circumvent the limitation on the probationary period as defined below.

4. Tenurable appointments are, by title, the Professorship, the Associate Professorship, and the Assistant Professorship, and these three only. (See exclusions in paragraph 7 below.) The Professorship and the Associate Professorship will normally be tenured. The Assistant Professorship will normally not be tenured.

#### 5. Untenable Appointments

a. All appointments other than the three professorial appointments specified above are untenurable and, as such, they neither involve considerations of tenure nor are they subject to the limitation of the probationary period as defined below. They are appointments to perform specific tasks. Untenable appointments include, but are not limited to, those titled Instructor, Lecturer, Research Associate; and those with the designation "Visiting," Adjunct," (Research), "Investigator," "Senior Investigator," "Associate," and those appointments in the Division of Biology and Medicine with the title "Clinical."

b. Those appointments in the Division of Biology and Medicine with the designation of "Specialty" in a medical area, e.g., Professor of Pediatrics, are for a specific term and renewable. Such appointments do not carry tenure and are not subject to the probationary period as defined below, but individual faculty members of senior rank may be considered for a tenured faculty position with the joint concurrence of the University and of the hospital in which they are employed.

6. Untenured faculty members may serve no longer than ~~seven~~ **eight** years of full-time faculty service or its equivalent in tenurable ranks at Brown University. After ~~seven~~ **eight** years of full-time faculty service or its equivalent at Brown University, such appointments must either be tenured or the appointment in tenurable rank is terminated, except that extensions of up to two years may be granted by the Dean of the Faculty (or the Dean of Medicine and Biological Sciences) for care of a newborn child or a newly adopted young child, or for other extraordinary circumstances. An interruption of a term of service for a medical leave, in accordance with University policy, no matter what its length, shall not be counted as part of the probationary period.

7. Tenurable appointments which have been contracted for a specific term, may, when the term expires, either be terminated, or renewed without tenure, or changed to a tenured appointment. A first tenurable appointment may have a term no longer than ~~three~~ four years.

8. Recommendations to renew or not to renew contracts and recommendations to award or not to award tenure are initiated by the appointee's department, division, or program. In cases of negative recommendation, and, at the request of the appointee, he or she shall be given, in writing, the rationale of the decision made by the department, division, or program. If the appointee holds a joint appointment, such recommendations shall be made individually by the departments, divisions, and/or programs concerned. The recommendations may be reviewed by the Tenure, Promotion and Appointments Committee. Only the Corporation can grant tenure.

9. Tenure considerations for faculty appointees who hold part-time appointments shall be in accordance with the "Resolution on Part-time Faculty Appointments" adopted by the Faculty on 21 May 1974. (See Section 10,I,C.)

10. All recommendations must be prepared and sent forward and all reviews concluded early enough to enable the University to give notice to the appointee of the action it intends to take at least twelve months before the expiration of the term appointment, except that for persons whose term appointments at Brown University total three years or less, notice shall be given at least eight months before the appointment expires. Initial faculty appointments of a duration of one year or less, and "Visiting" appointments of whatever duration are to be considered as terminal appointments, not requiring additional notice from the University regarding possible reappointment.

11. An untenured faculty appointee has a right to the following:

- a. A written statement of the department's, program's, or division's criteria for recommending renewal of an appointment or award of tenure and of the procedures prefatory to making such recommendations.
- b. A yearly professional evaluation by his or her Chair, together with an explanation of the department's, program's, or division's needs so far as these may affect the appointee.
- c. A conscientious documentation by the department, program, or division of his or her professional career.
- d. A review of his or her case by the tenured members of the department, program, or division sufficiently before the dates of crucial decisions.

e. A personal appearance before the tenured members of the department, program, or division during consideration of his or her case.

f. A recommendation from the department, program, or division about his or her renewal or tenuring made ready by the proper date; an explanation of what that recommendation will be and to whom and when it will be sent.

The failure of a department, program, or division, or of the Tenure, Promotion and Appointments Committee, or of the Administration to secure any or all of these rights to a candidate shall not be sufficient cause for renewing an appointment or for awarding tenure.

12. Instructors and other faculty members who held tenurable rank prior to July 1, 1977, may elect to be governed by the Corporation Rules on Tenure as adopted in 1959 and subsequently amended.

After brief debate, the motion was approved by electronic ballot: 88 ayes; 10 nays; 2 abstentions.

Following a discussion of procedure, the following motion, numbered 7 in the Agenda, was brought to the floor by Professor Garcia Coll:

**MOTION:** That the Faculty amend the *Faculty Rules & Regulations* in Part 4, Section 10.I.D.5 - 6, concerning the Tenure Review and Procedures, by deleting the existing language and replacing it with the proposed new language effective July 1, 2011.

**RATIONALE:** There were a few changes proposed to the *Faculty Rules & Regulations* with regard to Tenure Review and Procedures which were not explicitly included in the principles the Faculty Executive Committee recommended and the Faculty adopted at the December 7, 2010 Faculty meeting. Those items are presented here in a separate motion to ensure that the Faculty have an opportunity to review and debate these proposed changes independent of those items which were endorsed, in principle, by the Faculty on December 7<sup>th</sup>. These changes include a proposal closely related to the change in the length of the probationary period to explicitly inform candidates, through the proposed addition of a footnote, that if they elect an earlier review and the review is negative, the end date of their appointment will be adjusted to provide for one terminal year.

The changes also propose removing the provision that candidates shall be entitled to know the departmental votes for and against in the event of a negative review, and that tenured faculty not in residence (e.g., on sabbatical) may request that candidate materials be sent to them. These two changes formalize in the *Faculty Rules* what is common practice in most departments. The final change in this motion eliminates redundant language with regard to votes in the case of a negative recommendation being communicated to TPAC – the votes in the case of either a positive or a negative

recommendation are documents in the departmental committee minutes which are communicated to TPAC as provided for elsewhere in the *Faculty Rules*.

## **Faculty Rules and Regulations**

### **Part 4: Faculty Resolutions, Policies, and Procedures**

#### **Section 10.I.D.5 - 6**

##### **5. Tenure Review**

Any untenured member of the faculty who holds tenurable rank at Brown, and whose full-time service at Brown amounts to five years or more, must have a full tenure review before an academic unit can make a recommendation for or against promotion to tenured rank. As stated above, the written criteria for evaluating scholarship, teaching, and service shall be provided to the candidate, and to the Dean of the Faculty and (if appropriate) the Dean of Medicine and Biological Sciences.

Before a recommendation is made for tenure, the untenured faculty member has the right to: (1) a written statement of the academic unit's criteria for recommending tenure and the procedures used in making such recommendations; and (2) an explanation of the academic unit's needs as far as these may affect his or her tenure. At the time of the recommendation, the candidate shall be notified in writing of the recommendation and, in the case of a negative recommendation, ~~of the number of votes for and against and~~ the reasons for the academic unit's decision. As outlined in the section concerning the Committee on Tenure, Promotions and Appointments, the individual also has the right to present written material in person and/or in writing to such Committee.

##### **6. Tenure Procedures and Recommendations in Divisions, Departments, Programs and Centers:**

###### **a. Initial Academic Unit Procedure**

i. No later than November 1 of the sixth year<sup>3</sup> of the candidate's probationary period<sup>4</sup> (assuming a probationary period of seven years), the

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<sup>3</sup> **If a candidate elects an earlier review, the end date of the appointment will be adjusted to provide for one terminal year in the event of a negative review.**

<sup>4</sup> The current Corporation policy with respect to how this time is counted (Faculty Rules, 2.1--15 March 1988, p.100, #8) (See Part 5, Section 11, I.A.8.) reads "Untenured faculty members may serve no longer than seven years of full-time faculty service or its equivalent in tenurable ranks at Brown University. After seven years of full-time faculty service or its equivalent at Brown University, such appointments must either be tenured or the appointment in tenurable rank is terminated, except that extensions of up to two years may be granted by the Dean of the Faculty (or the Dean of Medicine and Biological Sciences) for care of a newborn child or a newly adopted young child, or for other extraordinary circumstances. An interruption of a term of service for a medical leave, in accordance with University policy, no matter what its length, shall not be counted as part of the probationary period." How this statement is construed as to whether leaves, other than medical, count as "full time faculty service or its equivalent in tenurable ranks at Brown University" is a matter of department policy, so long as that policy is consistently applied. Candidates should clarify how their time is being counted with their Department Chairs.

academic unit Chair, in consultation with the candidate, shall select no less than a three person “tenure committee” to guide the evaluation procedure (the “tenure committee” shall be smaller if there are fewer than three tenured faculty within the academic unit). The Chair may or may not be a member of the “tenure committee” and the head of the committee may be a tenured person in the academic unit or the unit’s Chair or Director.

*{Paragraphs ii – vii intentionally omitted as no changes proposed}*

viii. Documented efforts must be made to secure the maximum participation of the tenured faculty of the academic unit, as required in the evaluation and recommendation process. ~~The candidates’ dossier shall be sent to those tenured faculty members in the academic unit not in residence not later than March 1 of the sixth year.~~ Copies of **the candidate’s dossier as well as** any of the materials or publications held by the “tenure committee” shall be sent to ~~such~~ members **not in residence up** on request. Those tenured faculty not in residence shall be requested to send written statements concerning the candidate to the Chairperson of the “tenure committee” no later than March 15 of the sixth year, but failure to receive statements from absent members shall not prevent completion of the evaluation and recommendation process.

#### **b. Making the Recommendation**

*{Paragraphs i – ii intentionally omitted as no changes proposed}*

iii. The following documents shall be forwarded to the Committee on Tenure, Promotions and Appointments:

*a) the candidate’s dossier (as specified above);*

*b) the Department’s recommendation, including reasons, and ~~in the case of a negative recommendation the votes, signed by the academic unit Chair/Director and the Chair of the “tenure committee”;~~*

*c) a certification by the “tenure committee” Chair that the academic unit’s and University’s standards and procedures for tenure review have been applied; or, if they have not, the reasons therefore and what different standards and procedures were used;*

*d) a copy of any specific supplement of the academic unit to the University’s standards and procedures for contract renewal and tenure not already on file in the Office of the Dean of the Faculty.*

Debate followed upon the correctness of dates in the proposed language, the timing of the eight-year initial appointment and its relation to AAUP standards, and requests for

promotion in advance of the approaching terminal date. Before approving a motion to close debate, discussion carefully considered the precise language to be voted upon as recorded in pp. 37-42 of the Agenda, and an amendment to change “shall be made available” to “shall be provided” on page 42 was accepted as friendly so that the proposed change to FRR 6.a.vii now reads:

Documented efforts must be made to secure the maximum participation of the tenured faculty of the academic unit as required in the evaluation and recommendation process. Copies of the candidate’s dossier as well as any of the materials or publications held by the “tenure committee” shall be provided to members not in residence...

The motion was approved: 112 ayes; 9 nays; 2 abstentions.

Provost Kertzer brought Motion 8 on page 43 to the floor with an account of the rationale as stated in the Agenda in regard to the timing of the review process. The motion reads:

**MOTION:** That the Faculty, in Part 4, Section 10.I.D of the Faculty Rules & Regulations, on Annual Reviews and Contract Renewal and Promotions, delete the existing language (as struck-through below) and replace it with the proposed new language (underlined and in bold below) effective July 1, 2011.

**RATIONALE:** The current practice is to conduct annual reviews of untenured faculty in December or January regarding performance during the preceding calendar year. The Committee on Tenure & Faculty Development believes that it would be preferable to shift the timing of such reviews to early in the fall semester, and to have them address the preceding academic year. Deferring the first such review – now conducted a short six months or so after the beginning of the appointment – will provide better information to both the department and the candidate. However, the department chair or program director should not wait until the first formal review to communicate with the faculty member, but rather meet informally for feedback and advice at the end of the first academic year. The timing of subsequent reviews should also follow an academic-year, rather than a calendar-year, cycle. Candidates will thus be reviewed early in the fall of each year. This schedule has the additional advantage of aligning the timing of annual reviews with that of the reappointment review.

The nature and quality of the guidance provided in annual reviews can vary considerably from department to department. A draft of the annual review should be submitted to the Dean of the Faculty (or the Dean of Medicine and Biological Sciences) for comment before being finalized and provided to the faculty member in question. This will ensure more consistent and uniform standards.

Finally, some minor modifications to the notification period are required as a consequence of the change in the length of the probationary period from seven to eight years.

**SUMMARY:** The language below effects the following changes

1. regarding annual reviews of untenured faculty:
  - shifts the timing of the annual review, from mid-year to the fall semester
  - changes the period to be reviewed, from the preceding calendar year to the preceding academic year
  - requires that Department Chairs meet with untenured faculty at the end of the first year of service to provide informal feedback and advice before the summer break, rather than waiting until the annual review in the fall
  - requires that the Dean review a draft of the annual review after it has been approved by the Department but before it is provided to the untenured faculty member
  
2. regarding the timing of recommendations for contract renewal and promotion:
  - clarifies the notification period: eight months for contracts of four years or less (this includes the reappointment of assistant professors and lecturers)
  - requires that candidates for tenure be informed of the decision at least twelve months before the expiration of their contract, regardless of the length of the contract

## **Faculty Rules and Regulations**

Part 4: Faculty Resolutions, Policies, and Procedures

Section 10.I.D.3 – 4

### 3. Annual Reviews

The Dean of the Faculty or the Dean of Medicine & Biological Sciences shall annually write to all untenured faculty ~~appraising~~ **apprising** them of the requirement for an annual review and of the existence of written departmental standards and criteria for contract renewal and promotion (as described in subsection 4 below, “Contract Renewal and Promotion”).

The annual review of each full-time untenured faculty member, including Lecturers and Instructors, shall be directed by the academic unit Chair. The academic unit Chair will establish and maintain a dossier on each non-tenured faculty member containing copies of: (1) official appointment and salary letters; (2) annual reviews of the faculty member; (3) an annually revised curriculum vitae of the faculty member; (4) copies of his or her scholarly publications; and (5) material on teaching performance (including student teaching evaluations and tabulations), curriculum development, and advising.

The untenured faculty member, and the academic unit Chair, will be responsible for submitting material including an up-to-date curriculum vitae for his or her dossier, so that it contains up-to-date material on teaching (including courses taught, student evaluations from courses and tabulations, summary material on undergraduate and graduate

advising), scholarly work (including copies of publications), and service to the University (also listed in the curriculum vitae).

The annual review of each untenured faculty member will be conducted at a duly called meeting of the tenured faculty, where the contents of the individual's dossier (excluding salary information) will be reviewed and his or her performance **during the preceding academic year** evaluated in each of three areas: scholarship, teaching, and service. A description of a consensus concerning the untenured faculty member's performance or of the nature of the disagreement about it if there is no consensus will be arrived at. **A draft of this report shall be submitted for comment to the Dean of the Faculty or the Dean of Medicine & Biological Sciences, as appropriate, before being provided to the untenured faculty member.**

Such a review of an untenured faculty member's total performance will take place annually, **normally at the beginning of the fall semester.** ~~but~~ **In** some years it may coincide with the procedures for that academic unit's recommendation for contract renewal, promotion or tenure. In such years the review will be conducted in time to meet University deadlines for the submission of these recommendations. **The Chair will also meet with untenured faculty members at the end of their first year of service, to solicit information and provide informal feedback in advance of the forthcoming annual review.**

The academic unit Chair will meet with the untenured faculty member and present a **final** written report which indicates the evaluation of the individual's performance by the tenured faculty of the academic unit. This evaluation report shall include a commentary on the individual's scholarship, teaching, and service. A copy of this written evaluation shall be given to the untenured faculty member and every tenured faculty member in the academic unit, and to the Dean of the Faculty **or the Dean of Medicine & Biological Sciences.**

The untenured faculty member may submit a written comment on the final evaluation report, and such comments shall be placed in the official academic unit file of the untenured faculty member. Lack of response by the untenured individual shall not be construed as total agreement with the final evaluation report.

#### 4. Contract Renewal and Promotions

Every department or other academic unit with contract renewal or promotion decisions to make is responsible to provide each member of the faculty, including anyone who may become a candidate for tenure, and whose appointment was not made on the prior assumption that the position was not tenurable, with the department's written criteria for evaluating scholarship, teaching and service. This statement shall be detailed, clear, objective and fair and will state the relative importance of each criterion. The standards for meeting these criteria will also be described and defined by the department, to the extent possible. The criteria and standards will be applied consistently and uniformly. While the criteria and standards are not to be altered without approval by the Dean of the

Faculty, or the Dean of Medicine and Biological Sciences (as may be appropriate) and the CMFA, TPA and the FEC, changes in the weighting of the criteria may occasionally occur. If a department has received approval for such a change, faculty should be notified as far in advance as possible of the exception and reasons for the change, and they must receive a copy of any alterations or amendments to the standards and criteria. **All departmental standards and criteria are to be consistent with those of the University.**

Recommendations to renew or not to renew contracts, or to promote or not to promote, are initiated by the faculty member's academic unit. All recommendations must be prepared and concluded in sufficient time to enable the University to notify formally the individual of its decision **in a timely manner.** ~~at least twelve months before the expiration of the term appointment, except that f~~ For individuals whose **with** term appointments ~~total three~~ **of four** years or less, notice shall be given at least eight months before the expiration of the appointment, **except that those under consideration for tenure shall normally be informed of the decision at least twelve months before the expiration of a term appointment of any duration.** Initial faculty appointments of one year or less duration, and visiting and adjunct appointments of whatever duration, are to be considered term appointments not requiring additional notice from the University of expiration. At least one year before such a recommendation for **reappointment or tenure is to be** made, the faculty member may request and receive (1) a written statement of the academic unit's criteria for recommending a renewal of an appointment or promotion and the academic unit's procedures in making such a recommendation; and (2) an explanation of the academic unit's needs as far as these may affect his or her reappointment or promotion or potential tenure review. The faculty member also has the right to an explanation of what the recommendation is and to whom and when it will be sent. In the case of a negative recommendation, and at the request of the individual, he or she shall be given, in writing, the reasons of the academic unit for its decision. As outlined in the section concerning the Committee on Tenure, Promotions and Appointments, the individual also has the right to present written material in person and/or in writing to such Committee.

In the case of promotion from Associate Professor to Professor, a review may be initiated at any time after the granting of tenure. As a minimum requirement, tenured associate professors who have completed ten years in rank shall be reviewed for promotion to professor. However, a candidate may decline or defer this required review by sending a letter to that effect to the Dean of the Faculty or the Dean of Medicine and Biological Sciences, as appropriate. A candidate shall be reviewed for promotion at least every five years if not promoted. A candidate may defer or decline as described above.

At a duly called meeting of the tenured (senior)<sup>5</sup> faculty, the tenured (senior) members of the academic unit will review the candidate's performance with regard to scholarship,

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<sup>5</sup> In the case of promotion from Associate Professor to Professor, the group acting to make a recommendation consists of the Professors of the academic unit. ~~A full description of the procedures to be followed in the case of promotion from Assistant Professor to Associate Professor with tenure will be the subject of a separate recommendation to the faculty.~~

teaching and service, in accordance with the specific criteria established by the academic unit which are on file with the appropriate Dean. (Publications and teaching evaluations, as well as other pertinent parts of the academic unit's file on the faculty member, will be available to tenured (senior) members of the academic unit two weeks before the meeting to make the recommendation.) On the basis of an evaluation of these aspects of an individual's performance, as well as in the case of promotion of assistant to associate with tenure consideration of the academic unit's staffing needs, a recommendation will be made in writing by the proper date and indicating the quorum the academic unit has established as necessary to make such decisions. The recommendation will contain a conscientious documentation by the academic unit of the candidate's professional career, as well as the reasons for the recommendation and the data used to arrive at the decision.

After discussion of the language and clarification of the rationale, the motion carried: 101 ayes; 13 nays; 1 abstention.

The Motion numbered 9 on p. 47 was brought on behalf of the FEC by Professor Evenson (Literary Arts):

**MOTION:** The Faculty acknowledges receipt of the report from the Academic Priorities Committee endorsing a proposal from the Literary Arts Program to become a Department of Literary Arts. The Faculty recommends to the President and Board of Fellows that a Department of Literary Arts be established.

Following discussion of the departmental standards for tenure and review, the motion was approved: 103 ayes; 6 nays; 3 abstentions.

President Simmons delivered her report, stating:

I had planned to discuss with you at the February faculty meeting the questions that the Corporation would be considering vis a vis tenure at its then upcoming meeting in the same month. However that meeting was cancelled and as a consequence the report you received came after the Corporation meeting. In particular, the request of the Corporation concerning the tenure process had to be communicated to you via the all-community letter and subsequently, the deans' letter to the faculty.

The discussion of the tenure issue at Brown has been long and fraught in many ways. Throughout the debate on this question, the Corporation has acknowledged that its role in this matter is to oversee the direction of the University in regard to adherence to our mission, to inform us as to concerns they may have about that direction and to permit the campus through its varied consultative and operating mechanisms to bring recommendations forward as to how to address any concerns. While it is absolutely clear that they have the authority to insert themselves forcefully into the tenure debate by dictating precisely what should happen, it is to the credit of the Corporation that they have resisted usurping the privilege that we have to use our governance systems to debate the issue and recommend courses of action which, if approved, are then implemented by

the campus. Let me give you some examples of the way Corporation members have heretofore exercised their role and authority in this matter.

It is fair to say that many on the Corporation were surprised by the declaration in the NEASC report that Brown's cohort tenure ratio was substantially more favorable to candidates than its peers. Instead of calling immediately for the institution of a radical new system to address this issue, they asked for a study and recommendation on what we might do to assure them that our process of evaluating candidates for tenure is not only fair but appropriately rigorous. The Ad Hoc Tenure Committee undertook that work and submitted its recommendations to the faculty.

When an early motion of the Ad Hoc Committee failed to garner the majority support of the faculty, the Corporation did not intervene to overrule the faculty vote but instead asked questions about how they could be made more confident about the rigor of the process of advancing candidates to tenure.

In considering what they should do as a governing body answerable to accreditors, students, alumni and others who might be concerned about whether the process reflects the right standards, they turned to the questions of what action might be appropriate to a governing body. Recognizing that tenure is one of the most important responsibilities of the Corporation, they wanted to be assured that they are acting in concert with the campus to assure the quality of the faculty over time.

After considering the NEASC report, the Ad Hoc Committee report and the interviews they held separately with faculty, they arrived at a decision on how they could best fulfill their role as Trustees and fellows.

The direction they gave us is that they wanted

- 1) to be well informed about how our practices and process of hiring and advancing junior faculty compare with those of other institutions in respect to the mentoring and support of faculty;
- 2) to be able to monitor the degree to which the faculty is able to renew itself through the appointment of both junior and senior faculty;
- 3) to understand better the planning process utilized by the campus to ensure that renewal.

At the February meeting, the Corporation directed the Administration to submit a report in October detailing how these issues would be dealt with. Among the matters they would like to understand is how one assures ongoing renewal through the monitoring of both tenure cohort rates and tenure ratios. It appears that this interest has given rise to concerns about quotas, caps, and inflexibility in tenure decisions.

At no point has the Corporation suggested that they would fix an arbitrary cap on the number of faculty at Brown who can hold tenure at any given point. I would oppose such a cap as I believe it would be contrary to any effort to assure the most qualified faculty. One knows that to be both fair and exacting, tenure and appointment recommendations must be made on an individual basis, relying on the merits of each case. That is not to say that Brown should be opposed to planning, to surveying best practices, to monitoring the data and ratios carefully for what they may reveal about present dilemmas and future risks.

As you know, we again have the opportunity to suggest how we might do this. The deans will be carrying on discussions about what to present to the Corporation by way of an ongoing mechanism for review so that the Corporation will not once again be surprised by an external team's assessment that our process and results are not appropriate to our mission or our aspirations. The Corporation will then determine whether the information that we bring forth annually to them gives them adequate comfort that we are executing well the strategic direction they have set and whether they feel that recommendations submitted to them on tenure cases are reliable.

I would be pleased to answer any questions or hear your comments on this issue.

Following these remarks in the President's report, questions about retirement rates and policies were discussed. The President continued her report with news of the Boldly Brown Campaign with thanks to the faculty for their extraordinary participation. The result of the Campaign in dollars is \$1,614,126,172, a goal reached 19 months in advance of the term of the campaign, in spite of the economic downturn, and in close articulation to the goals outlined in the Plan for Academic Enrichment. The Campaign has allowed the faculty to grow by 20% with the hiring of 334 faculty members since 2003. She noted the distribution of gifts according to terms and the fruits of these gifts, including newly identified needs, pausing to reflect upon the extraordinary coincidence of donors giving gifts for what one asked for. The Brown community was an important dimension of the Campaign's success, with 69,000 donors representing a 30% increase over participation in the Rising Generation campaign; 76% participation by alumni of the College and 66% total alumni participation including the graduate and medical schools; and 36% of the donors having made their first gifts to Brown. 636 staff members gave over \$1.5 million, and, excluding staff members who are alumni, 320 staff members contributing over \$500,000 cash with almost \$400,000 going to the Annual Fund. Faculty responded, and the President expressed thanks for the generosity of faculty in contributing time, expertise and money—some \$8,672,487. Over 1,000 faculty members contributed, 322 with no affiliation other than faculty appointment. She thanked and congratulated the faculty for this work, citing the efforts of the faculty campaign as led by Robert Pelcovits.

The Provost reported on the news of Professor Gordon Woods being awarded a Presidential Humanities Medal, on the development of the online course evaluation form, on the work of the Faculty OSP Advisory Committee and the OVPR website.

Professors Lubar and Pelcovits presented reports for the Campus Planning Advisory Board and the Faculty Committee for the Campaign and Dean Weber for the Graduate Council, Dean Weber responding to a question about the faculty role in planning by stating he did in general seek faculty advice.

There being no New nor Old Business, the meeting was adjourned at 5:40 p.m.

Respectfully submitted,

Stephen Merriam Foley  
Secretary of the Faculty

## **Memorial Minute for**

### **Thomas Mills Lasater, Professor of Community Health**

#### **Presented to the Faculty on**

**March 1, 2011**

Thomas Mills Lasater, Professor of Community Health, Center Director of the Institute for Community Health Promotion, and an international leader in community-based behavioral research to promote health and prevent disease died on November 22, 2010, in Providence, RI after a long and valiant battle with colon cancer. He was 69.

Born on December 30, 1940 in St. Louis, Missouri, Dr. Lasater spent his boyhood in West Texas. He often talked about pursuing education as a way out of the Texas oil fields that surrounded him. He was offered a scholarship to attend the University of Houston, where he earned a BS in Psychology and a PhD in Experimental Social Psychology.

After graduation, Dr. Lasater conducted behavior change research in schools in Birmingham, Alabama. After several years he left the traditional academic setting to work more directly in the community, designing and carrying out poverty programs. During the civil rights movement, he worked with Alabama police departments to bring about the more humane treatment of protesters. At that time he also served as Principal Investigator on a large parent education research project, the Parent Child Development Center, which was an early precursor to the current Head Start program. He also received funding for several Department of Labor projects that required collaboration with 2500 worksites.

In 1979, Dr. Lasater joined Dr. Richard Carleton at Brown University and Memorial Hospital of RI and together they wrote the initial Pawtucket Heart Health Program (PHHP) grant, one of the first community-wide heart disease prevention projects, which was funded in 1980. He served as Co-Principal Investigator and Program Director of PHHP throughout the 17 years of funding by the National Institutes of Health. This was, at the time, one of the largest funded health education grants in history. During that same period, he was also Principal Investigator of the Health and Religion Project (HARP) that studied the effectiveness of health promotion interventions in churches.

Other previous large community-based grants of Dr. Lasater's have included the Cholesterol Change at Work and Cholesterol Challenge studies. In recent years, Dr. Lasater has served as Principal Investigator of the SisterTalk series of studies that aim to improve diet, physical activity, stress, and weight control among African-American women. He has also led several interventions to decrease smoke exposure among pregnant women and newborns.

Dr. Lasater was former President of the Rhode Island Public Health Association, served on dozens of public health committees and boards, and was involved in the design of community-based health programs throughout the United States and Canada. He authored

hundreds of journal articles, was a highly respected and sought after consultant and a frequent speaker at public health conferences both here and abroad.

Dr. Lasater's energy and enthusiasm for all aspects of public health and his ever-present sense of humor in his work will be missed by many. Dr. Lasater was a wonderful mentor to many faculty, students and staff and his memory will live on in their work.

Dr. Lasater is survived by his wife Angie Soares Lasater, his brother James D. Lasater, his daughter Meghan Lasater Taylor, and two grandchildren. A memorial fund will be established in his name in the near future.

"Madam President, I move that the Faculty adopt this Minute by a standing vote of respect, and that the Secretary of the Faculty be instructed to enter the Minute into the permanent records of the Faculty and to send copies of it to members of the immediate family".

Kim M. Gans  
Professor of Community Health  
Interim Director, Institute for Community Health Promotion

## **Memorial Minute for**

**Jan Tauc, Professor Emeritus of Engineering and Physics**

**Presented to the Faculty on**

**March 1, 2011**

Jan Tauc, a highly respected and much loved colleague of faculty members in both Engineering and Physics, died peacefully of heart failure at his home in Washougal Washington on December 28 2010. Jan, a pioneer in semiconductor physics and engineering, was born in Pardubice, Bohemia (now the Czech Republic) in 1922. During his teen years, Jan's schooling was disrupted by being forced to move as the Nazis took over towns where he lived with his family. During the war Jan was pressed into factory work. However, he used what free time he had to study mathematics and physics. When the war was over he got his degree in electrical engineering in two years and in 1949 he earned the degree of Dr. of Technical Sciences at Charles University in Prague.

In 1952 the communists founded the Czechoslovak Academy of Sciences for the purpose of centralizing scientific research. Jan, although not a party member, was asked to head the Semiconductors Department of its Institute of Technical Physics, a position he held until 1969 — along with his position of Professor at Charles University. Jan made important early contributions to photovoltaic, thermoelectric and optical properties of crystalline semiconductors. In the mid 1960's his interest turned to amorphous semiconductors, due to their ease of preparation and photovoltaic applications. This interest became a central theme of much of his research throughout the remainder of his career.

As Jan's research reputation grew he received invitations to visit labs in the west. In the spring of 1969, shortly after the invasion of Czechoslovakia by the Russians, Jan was still able to leave the country and travel to Bell Labs for a 12-month stay. While there with his wife Vera and two children, Elena and Jan Jr., he received a letter from the Czech Academy revoking his leave and demanding his immediate return under threat of prosecution. Fortunately for Jan and his family, and for Brown University, Brown was in position to make a bold move to hire Jan — along with Phil Stiles and Maurice Glicksman — with funds from a major gift given to greatly increase Brown's position in solid state physics and engineering.

Jan had a very successful career at Brown, covering 22 years until his retirement in 1992. He authored or edited several books and was editor of three important professional journals. Jan received numerous honors including election to membership in the National Academy of Sciences, and being awarded the prestigious Isakson Prize of the American Physical Society. In 1987 Jan and his Brown co-workers Humphrey Maris and Christian Thomsen, were issued a patent for a method to investigate properties of thin films using

picosecond spectroscopy. This patent, and the follow-on patents by Humphrey Maris and co-workers, have become the most valuable basket of patents that Brown has owned.

Jan was a gentle and caring person who was cherished by his family and colleagues. When he retired he started taking piano lessons and even wrote some compositions, including a beautiful one for his wife. When Engineering received an anonymous gift to support a graduate fellowship in our Electrical Sciences and Computer Engineering group, the group members agreed unanimously that the fellowship should be named for Jan. Engineering views its Jan Tauc Graduate Fellowship as a memorial to the exceptional scientific and personal qualities that Jan shared with us – a memorial that is refreshed each year when a new fellow arrives.

“Madam President, I move that the Faculty adopt this Minute by a standing vote of respect, and that the Secretary of the Faculty be instructed to enter the Minute into the permanent records of the Faculty and to send copies of it to members of the immediate family”.

Rod Clifton, Interim Dean  
School of Engineering