

Minutes of the Faculty Meeting

October 5, 2010

President Simmons convened the meeting at 4:02 p.m., and the customary motion to adjourn no later than 6:00 p.m. was approved without dissent.

Mr. Emlen (American Civilization; University Curator) delivered the memorial minute (attached) for Bruce Rosenberg, late professor of American Civilization, and the minute was approved by the faculty by a standing vote of respect.

Professor Garcia Coll (Education) reported as Chair of the FEC, keeping her remarks brief in order to allow for discussion of the motion to follow. She called the attention of the Faculty to a forthcoming electronic survey of the Faculty to help the FEC determine what important issues needed to be addressed, and she signaled the need to determine the incentives and values underlying faculty participation so that faculty attention would be drawn towards doing work necessary for shared governance.

Mr. Patterson (Engineering) as Chair of the Nominations Committee brought forward the following nominations:

ACADEMIC STANDING (CAS)

Luther Spoehr (Education) replacing Elizabeth Taylor (English) effective immediately to 6/30/11

Janet Blume (Engineering) replacing Claire Mathieu (Computer Science) effective 11/1/10 to 6/30/11

GRIEVANCE COMMITTEE

Steven Sloman (Cognitive, Linguistic and Psychological Sciences) replacing Pauline Jacobson (Cognitive, Linguistic and Psychological Sciences) effective immediately to 6/30/11

The nominations were approved without dissent. Mr. Patterson reminded the faculty that there were elections for TPAC, CFED, and for a junior faculty position on the FEC underway, and he urged one and all to vote. He reported that the Nominations Committee would very shortly be soliciting nominations for several open positions for next semester and for general preferences for committee assignments and that responses were needed for these requests. He also reported that we had been unable to fill a ballot for a Social Science slot on TPAC despite exhausting all available candidates. The committee anticipates revisiting this matter later this semester although no decision as to how to handle the problem beyond this semester had been made.

Professor Garcia Coll announced the availability of clickers for use in electronic voting and moved that this mode of voting, with the understanding that a written ballot be available as a back-up, be adopted for consideration of the motion (item four on the

Agenda) of the Ad Hoc Committee on Tenure and Faculty Development Policies. Professor Tan announced that he would defer a planned demonstration of electronic voting until the first such ballot was to be cast.

Professor Hermance (Geological Sciences) asked for a clarification from Roberts' Rules of Order on back-up procedures for such voting.

Professor Richardson (Engineering) replied as Parliamentarian that Roberts Rules allow for electronic voting but provide no specific prescription, so that a written back-up is allowed, as is the case here, for a vote on the main motion with procedures for a back-up vote in place should the electronic tally be close. Professor Roth asked for clarification of whether or not the motion of Professor Garcia Coll would also call for electronic voting on amendments. It would call, Professor Richardson stated, for such procedures on amendments. The motion carried, and Professor Tan asked that his demonstration of the procedure be considered by the faculty prior to the first such vote.

President Simmons offered a reminder of the general principles governing consideration of the motion to be brought to the floor: members will be recognized before they speak, stating their names; no member may speak again until all have been given a chance to speak and no one may speak more than twice; members will be asked to speak when possible alternately for and against the motion. She called upon the Provost to introduce the background to the motion.

Provost Kertzer stated his intention to speak briefly to background and then to yield to a member of the Ad Hoc Committee to present the motion. He stated that the committee was formed over a year ago with part of its charge to examine the tenure review process at Brown in comparison to our peers to the end of finding ways of strengthening the system. After Faculty Fora and discussion of the issues at other gatherings of faculty, the first of the motions proposed by the committee was amended and approved at the May 4 meeting. The second motion, to be considered at this meeting, differs from the one originally proposed after further consideration by the committee of faculty discussion, most recently in order to address changes in the timing of the tenure review process. He introduced Professor Blumstein to state the motion.

Professor Blumstein (Cognitive, Linguistic, and Psychological Sciences) stated that the recommendations of the Committee in the motion focus on three related areas. The first area is the disclosure of the list of reviewers to the tenure candidate, a procedure followed by none of our peer institutions. The ad hoc committee proposed, given the confidentiality expected in a tenure review, that while the exclusion of potentially prejudiced reviewers by the candidate is important, confidentiality of the names of reviewers is also expected, and that a failure to provide this confidentiality could result in a lack of candor by the reviewers and/or refusals to participate, both potentially compromising the quality of the letters received. She called attention to a second issue included in the motion--that the initial list prepared by the department would include at least three names suggested by the candidate. The second part of the motion allows the Dean of the Faculty to add names to the final list prepared by the department. This part of the

motion would address the rare cases in which the small size of a department may present difficulties or in which a department is compromised by internal divisions; in such cases, any letters sent by these individuals are to be sent to the department for their evaluation and comment. As in current procedures, departments will personally invite the referees to write letters; however, the formal letter of request would be sent by the Dean. The third part of the motion is the recommendation to raise the minimum number of external letters from five to eight, this in keeping with our peers, some of whom mandate as many as twelve. The final set of recommendations focus on the timetable of the process which is an ongoing concern. The proposal now presented in the motion (in contrast to the earlier version of the motion) calls for a date for submission of dossiers to TPAC by January 7 to allow time for a full TPAC review. Blumstein stated that the parts of the motion, taken together, work to ensure fair processes for shared government by faculty, administration, and the corporation so that all parties can reach decisions fully informed by the best information and expertise available.

The motion reads:

MOTION: That the Faculty, in Part 4, Section 10.I.D of the Faculty Rules & Regulations concerning the Tenure Review and Tenure Procedures, 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.

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.

In considering external candidates for appointment to a tenured rank (either Associate Professor or Professor), the department should prepare the recommendation and assemble the documentation as specified in 6.b.iii, below. 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.

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

a. Initial Academic Unit Procedure

- i.** No later than ~~November 4~~ **April 15**¹ of the **year preceding the penultimate year**² ~~sixth year~~ of the candidate's probationary period³ (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. **Such procedures are normally established at the time of initial appointment.**
- iii.** **By May 1, the academic unit shall notify the Dean of the Faculty or the Dean of Medicine & Biological Sciences of any tenure reviews to be undertaken**

¹ **This and other dates are intended as guidelines and are intended to ensure that the review is completed in time for the candidate to receive the statutory twelve months notice regarding renewal or nonrenewal of the contract. See #4, preceding, and Part 5 Section 11.1.A.12.b. If the end date of the contract is other than June 30, the timeline will be adjusted accordingly.**

² **If a candidate elects an earlier review, the end date of the contract will be adjusted to provide for one terminal year in the event of a negative review.**

³ 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.~~

during the following academic year. The Dean will provide candidates with information about the procedures to be followed.

- 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 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:~~
- ~~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) 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 candidate’s service to the University;~~
 - ~~f) copies of all minutes of meetings and correspondence of the academic unit, which bear upon the question of the candidate’s 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 Committee on Faculty Reappointment and Tenure on request.~~
- iv.** Not later than ~~December 1~~ **May 1**, 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 should also be asked to state in writing whether there are any individuals who should not be asked to serve in this capacity, and the reasons for excluding them.**
- v.** 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.~~

- vi.** After reviewing the candidate’s suggestions, the department shall compile a single combined list, to include no fewer than three names from among those suggested by the candidate, and forward this list to the Dean of the Faculty or the Dean of Medicine and Biological Sciences, along with brief biographies of the referees explaining their qualifications to serve, for review, by June 1. The Dean, in consultation with the department, may choose to add referees, along with an explanation of their qualifications to serve.
- vii.** The final list of those from whom letters will be solicited shall include at least three names suggested by the candidate as well as at least five names suggested by the department.
- viii.** After the list of referees has been approved, a representative from the academic unit (either the Chair or a member of the tenure committee) should contact each to determine whether he or she is willing to serve. The Dean shall thereafter send the referee a formal request for evaluation of the candidate.
- ix.** 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 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:

 - 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;~~
 - b)** **no fewer than eight** letters of reference, including the academic unit’s letters of solicitation; and a statement of how each referee was chosen;
 - c)** materials pertaining to the evaluation of the candidate’s teaching performance and contributions to the curriculum, including summary tabulations of semesterly teaching evaluations;
 - d)** records of the candidate’s service to the University;
 - e)** copies of all minutes of meetings and correspondence of the academic unit, which bear upon the question of the candidates’ promotion to tenured rank.

- x.** 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 Committee on Faculty Reappointment and Tenure on request.
- xi.** 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.
- xii.** 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.
- xiii.** 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 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

- 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.~~
 - i. 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.
 - ii. 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.

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

iv. 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.

President Simmons stated that the floor was open. Professor Rabson (East Asian Studies) moved that the Motion be divided so that independent decisions could be made on separate issues. In response to an objection from Professor Larmore (Philosophy) about how a vote could proceed upon a motion to divide without an indication of how the divisions were to be made in the main motion so to be divided, Professor Rabson proposed a four-part division: 1)the candidate's opportunity to exclude potential reviewers; 2)the addition of reviewers by the Dean of the Faculty; 3)the raising of the

minimum number of reviewers from five to eight; 4) extending the deadline for tenure consideration.

Provost Kertzer stated that the main Motion called for shifting the timing of the process while not altering the tenure clock, which Professor Rabson acknowledged, and Kertzer defended the unity of the Motion, which, in his view, would be diminished by division into this or that part. Professor Rabson correlated his proposed division to segments of the numbered parts of the main Motion (corresponding to Faculty Rules Section 10.I.D.6a.i-xiii). Provost Kertzer questioned whether the proposed division would incorporate all original elements. Professor Richardson stated that according to rules of procedure, the original Motion must be divided into parts that are distinct. The Motion must clearly state how the question is to be divided, and anyone else may propose a different division, and these different propositions for division may be voted upon separately. Professor Rabson pointed to the discrete sentences of the Motion, which were easily divisible as written and numbered. Professor Suchman offered a clarification of Professor Rabson's division of the Motion under consideration as it pertains to the paragraphs i-xi in subsection 6 under Part 4, Section 10.1.D of the Faculty Rules into three parts with a fourth part addressing all remaining changes. Professor Richardson stated that each division of the Motion must be complete and leave no remainder. Discussion continued among Professors Suchman, Richards, and Richardson, and Fausto-Sterling about potential means, benefits, and demerits of division with comments upon the potential separation of individual items as enumerated under the Faculty Rules, and Provost Kertzer reiterated his belief that the Motion on the floor was unified.

Professor Roth (Religious Studies) suggested that a motion to consider paragraph by paragraph according to the paragraphs of subsection 6 [referenced above] would be easier to implement than a motion to divide, and his suggestion was accepted as a friendly amendment. Professor Larmore stated that while he could imagine that the Motion could in the abstract be divided, the current motion is producing only confusion and that those who made the motion have had many months to consider and should have come better prepared. He then moved to close debate on the Motion, and the motion was seconded. The motion to close debate on the motion (as twice amended, resulting in a motion to consider paragraph by paragraph or seriatim as proposed by Professor Roth) carried, and the motion was put to a vote. Professor Tan presented a demonstration of how the electronic voting would proceed, and Professor Rosen asked for clarification of the procedures for entering votes on the electronic keypads; Professor Tan explained that punching "A" corresponds to "Aye" or "Yes"; "B" to "Nay" or "No," "C" to "Abstain." After the results had been tabulated electronically and displayed, the posted result was 113 ayes, 97 nays, 3 abstentions.

Provost Kertzer stated his belief that the paragraphs were closely inter-related and that it would be difficult, for example, to conduct an independent consideration of the matters under Roman numeral "v" Subsection 6. He stated that he did not understand how consideration paragraph by paragraph could proceed except through successive meetings with varying numbers of participants that would potentially result in the approval of a final process that was not coherent practically and did not correspond to the concept of a

unified revision proposed by the Ad Hoc Committee; he would thus favor withdrawing the Motion. Asked if this was a motion to withdraw, he responded yes. The motion was seconded and debate on the motion to withdraw was on the floor.

Professor Sanes (Neuroscience) identifying himself as Chair of TPAC spoke against the motion to withdraw, referring to a discussion and vote on the main motion to be withdrawn on TPAC. He stated that the experience of TPAC members demonstrated the need for strict confidentiality of the list of reviewers and expressed the belief that Brown's unique policy of allowing the tenure candidate to exclude reviewers was not widely understood among reviewers and was thus potentially deceptive.

President Simmons asked, after a procedural objection, if Professor Sanes was speaking to the motion to withdraw or to aspects of the main motion.

Professor Roth (Religious Studies) spoke against the motion to withdraw, responding to Provost Kertzer's example of the difficulty of division that the procedure of considering paragraph by paragraph allowed for the discussion of individual sections without losing the context of the motion as a whole, which would be voted upon after such seriatim discussion.

Professor Elliott (Sociology) proposed a friendly amendment to the motion to withdraw, asking that the Ad Hoc Committee instead convene to separate the original motion into parts that could more easily be discussed and approved. Professor Bartov (History) spoke in support of the proposed friendly amendment as means of more effective consideration of the proposed changes of the withdrawn motion. Professor Valles (Physics) asked whether the motion proposed to withdraw only the changes relevant to subsection 6 or the entire motion [i.e. also those relevant to subsection 5 of Part 4, Section 10.I.D. of the Faculty R+R]. Provost Kertzer stated that the motion to withdraw concerned the whole motion; President Simmons added that the motion to be withdrawn would be the whole motion as amended to be considered paragraph by paragraph. Professor Cheit spoke against withdrawing the motion but in favor of sending it back to the Ad Hoc Committee, stating that the motion could surely be debated topic by topic and that TPAC had been successful in considering the motion in parts.

Professor Church (Cognitive, Linguistic, and Psychological Sciences) stated that since considering paragraph by paragraph was another means of considering part by part that would have the same problem that the Parliamentarian had described for the division recommended in the earlier motion, he was against the motion to withdraw. Professor Cutts (Physics) suggested that since all would like a chance to express approval or disapproval of the matters under consideration the discussion could proceed of the four parts as Professor Blumstein had outlined them in presenting the motion. Professor Richardson stated that if the motion were withdrawn the matters could be considered if reintroduced in other forms. Provost Kertzer stated his opposition to separate votes on the paragraphs of the motion, which would not be possible since the parts of the motion are inter-related and inseparable. Professor Cutts stated that thorough consideration of each of the four areas would be most difficult if they were taken to be inseparable.

Another member spoke in favor of the motion to withdraw suggesting that the contradictory positions of arguing that the motion was inseparable and that it could theoretically be presented in four parts suggested that it needed to be recast. Professor Hermance (Geological Sciences) asked for a clarification on whether or not a motion to withdraw could be followed by a motion to reconsider. He questioned whether the Provost and the Ad Hoc Committee really wished to pick up their marbles and go home or to work matters through by consulting with the Faculty. Professor Blumstein stated that while she understood Professor Elliott's point that one could separate broad areas for discussion, the prose that pertained to each of these areas was scattered throughout the Motion and thus one piece depended on the other. As a result, it was not clear from the amendment proposed that there would be consistency and clarity if she was also aware of problem of consistency that could arise from amendments that were introduced part by part. Professor Elliott expressed the thought that the Faculty could reconsider the motion to proceed paragraph by paragraph if assured that the committee Motion had been bundled in significant ways. Professor Tribe (Modern Culture and Media Studies) asked for clarification as to whether or not, if the motion to withdraw were rejected, the Ad Hoc Committee could return to the Faculty with a divided motion. He asked if some kind of action between rejecting the Motion and voting on it paragraph by paragraph were possible. Mr. Patterson asked if a motion to withdraw would negate a vote. Professor Bartov asked the Provost if he anticipated returning with a new motion, and in the absence of such an assurance stated the motion to withdraw was ready to be voted upon. Professor Sanes' motion to call the question was seconded and carried by a voice vote. Professor Richardson stated that if the Motion is withdrawn, one would proceed in the future to the next motion. Professor Valente asked whether if the motion is withdrawn, it disappears, and he was assured that it effectively does leave the table. Professors asked for clarification of the motion to be voted upon, and President Simmons stated that the motion called to a vote on withdrawal was the entire motion presented by Professor Blumstein on behalf of the Ad Hoc Committee. Professor Rodriguez (American Civilization) expressed support for withdrawing the Motion. The tabulation of the electronic vote showed that the motion to withdraw carried: 110 ayes; 92 nays.

President Simmons expressed surprise at this unexpected result and stated that having expected sustained discussion at this meeting on important issues of how to select and tenure members of the Faculty, she had not prepared a report. She expressed hope that one would not go forward from the withdrawal of the motion with false assumptions of what would now happen in regard to these issues, which remain although a motion addressing them has been withdrawn. She invited questions, and noted for the Faculty the presentation of a large set of gifts endowing income of about 500K annually to fund the work of senior professors in the humanities. At her invitation, Dean Vohra referred to the recent press release on the Humanities Initiative Fund, which has been gratefully received by the University, will support the hiring of senior faculty in accordance with the existing hiring plan and support all research and teaching efforts in the humanities in coordination with the Cogut Center for the Humanities.

President Simmons stated her thanks to the Ad Hoc Committee and to the Provost for their work, which was conducted with the understanding that they were performing

valued service on the important matter of the hiring and permanent tenure of faculty. She thanked the Provost and the Committee for listening to, considering, and respecting the concerns of the Faculty. She praised them for offering their best advice on the best options, rather than merely settling on an easily accepted solution. It is hard, she commented, to pursue a course not likely to be instantly accepted, and although there are matters upon which we disagree, that disagreement does not mean we are not moving forward, and we should not allow the will of the Faculty to appear to rest without consideration of the will of others. She thanked the Faculty for their participation, and implored them to prepare themselves for renewed attention to these matters.

Professor Hermance suggested that it was not the proper role of the President to scold the faculty. President Simmons replied that she was not scolding but encouraging, and Professor Hermance replied that the Faculty have their own ideas. Professor Neumann (History of Art and Architecture) expressed a sense of disbelief at the withdrawal of the Motion and asked if the substance of the Motion could not be considered in individual parts at the next meeting. Provost Kertzer declined to speak for the Ad Hoc Committee, but stated that he himself saw difficulty proceeding if the grouping of individual issues by members of the faculty were to deter any broad and unified change in procedure, commenting that dwindling faculty attention to these last motions, as reflected in the declining numbers of those voting from 300 to 200 to potentially 100 or fewer would indicate that the will of a small majority would be allowed to prevail and prevent the implementation of a broad vision. Professor Rose (Africana Studies), a member of the Ad Hoc Committee, stated that while parts of the withdrawn Motion may be seen as discrete, they are parts of an interlocking plan, so that independent consideration of and voting upon parts of the Motion would alter substantially the overall recommendation of the committee. She stated that it is untrue that withdrawing the Motion was in effect picking up one's marbles. Paragraph by paragraph consideration does not make sense given the unity of the proposal.

Professor Morone proposed a new motion: that the Ad Hoc Committee review the withdrawn motion for consideration of separation into four parts. Professor Richardson stated that as presented Professor Morone's motion was substantive, and it would require a week's notice to be presented to the faculty, whereas a motion to refer could be introduced from the floor. Professor Morone revised his motion: that the motion withdrawn be referred to the Ad Hoc Committee on Tenure for discussion of how potentially to separate issues into as many as four discrete parts; this motion was seconded by several members.

Professor Fausto-Sterling spoke against the motion, stating that the process of reviewing these procedures was flawed from the beginning, as the Provost and the committee proceeded without adequate representation of the Faculty at all levels. She expressed a preference that the motion should be referred to the FEC as the appropriate body for issues of such wide reaching impact, and stated that if such procedures had been followed in the first place, needless controversy could have been avoided. Professor Ahearn (Comparative Literature and French Studies) stated that the pursuit of administration goals through an administration committee was a doomed top-down enterprise that had

met heroic resistance not because of individual matters in the motion but because the top-down process represented a changed notion of what the University should be. He signaled the work of such scholars as the Chair of French Studies, of international renown in the U.S., Europe, and North Africa, as representative of the extraordinary gifts of the teaching and research faculty that our hiring and tenure has thus far brought us. He expressed the concern that the Select Committee's recommendations would make tenure more research-dependent and thus threaten the unique ethos of Brown that enables such world class scholars to also teach and advise undergraduates. President Simmons asked if Professor Ahearn were speaking before or against the motion, and Professor Ahearn replied that he was speaking in favor of referral to the FEC as suggested by Professor Fausto-Sterling.

Professor Dill (Sociology) proposed an amendment to Professor Morone's motion: that the motion be referred to the FEC, instead of to Ad Hoc Committee, for consideration of how the motion might be separated potentially into parts, and to consider any matters residual from the discussion of the motion, and that FEC consideration of the referred motion take place in consultation with the Ad Hoc Committee; the motion was seconded. Professor Hermance spoke in favor of referral to the FEC, and Professor Cheit asked if there were comments from the FEC. Professor Garcia Coll replied that the motion has been put in place by the Ad Hoc Committee proceeding on their own, and that the Faculty Fora had not provided for enough faculty consideration prior to bringing matters to the floor for a vote. She expressed sympathy with the will of the Faculty to seek more detailed consideration of these matters and also stressed the clear necessity for the University to take action. President Simmons asked if there were further comments, and hearing none, called for a vote. The amendment moved by Professor Dill to the motion of Professor Morone passed as recorded by electronic voting: 90 ayes; 42 nays. After being read again for clarity, the main motion passed as recorded by electronic voting: 100 ayes; 28 nays.

Following this vote, Dean Bergeron presented the report of the College Curriculum Council, deferred since the May meeting, calling the attention of the Faculty to the statistics in the report. Vice-President Karen Davis presented the report of the Human Resources Advisory Council; Professor Doepfner the reports of the Informational Technology Advisory Board and of the Standing Committee on the Academic Code. Professor Sanes presented the report of the Tenure, Promotion, and Appointment Committee, thanking past Chair Joan Richards for preparing the report and recalling the two stages of discovery addressed by the committee case by case: what needs to be known and the substantive evaluation of the case on the basis of that evidence.

Following a request to Faculty to return all electronic voting devices, the meeting was adjourned at 5:53 p.m.

Respectfully submitted,

Stephen Merriam Foley
Secretary of the Faculty

Memorial Minute for Bruce Rosenberg
October 5, 2010

Bruce Rosenberg arrived at Brown University in 1977 as a professor of American Civilization and English. Professor Rosenberg received his BA from Hofstra University (1955), his MA from Pennsylvania State University (1960), and his Ph.D. in English from the Ohio State University (1965).

Before his arrival at Brown, Professor Rosenberg served as a faculty member at Pennsylvania State University, University of Virginia, University of California at Santa Barbara, and University of Wisconsin-Milwaukee. While teaching at these institutions, he became a powerful and provocative voice in debates over the intersection of folklore and literature.

Professor Rosenberg's work spanned a remarkably diverse scope of interests, ranging from medieval studies to contemporary spy fiction. He was the author and co-author of twelve books in these fields. Among these were *The Spy Story* (University of Chicago, 1987), *Custer and the Epic of Defeat* (Penn State, 1974), and *The Art of the American Folk Preacher* (Oxford, 1970), which won the James Russell Lowell Prize. He also wrote numerous well-received articles for leading journals such as *Oral Tradition* and the *Journal of American Folklore*. His much heralded piece "Forrest Spirits: Oral Echoes in Leon Forrest's Prose" (1994) represented his profound interest in African-American oral tradition and folk-preaching.

In addition to the James Russell Lowell Prize, Professor Rosenberg was the recipient of many academic awards and honors, including a Guggenheim Fellowship and several Fullbright lectureships.

Professor Rosenberg served as two terms as Chair of the Program in American Civilization and retired from Brown in 2000. His many students, colleagues and friends will remember him for presenting them with a model of a multifaceted scholar and imaginative thinker.

Madam President, I move that the Faculty adopt this Minute by 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.

Presented by Mr. Robert Emlen