

Report of the Faculty Forum, April 13, 2010.

Professor Dietrich Neumann (History of Art and Architecture, Chair of the Faculty Forum) convened the third Faculty Forum of 2009-2010 on April 13, 2010, at 4 p.m., for a discussion of Tenure and Faculty Development.

The purpose of this Faculty Forum was to respond to the recommendation of the Provost's *ad hoc* Committee on Tenure and Faculty Development Policies, as codified in a report issued in late March 2010. Members of the Committee on Tenure and Faculty Development Policies are David Kertzer (Chair), Susan Alcock, Sheila Blumstein, Barry Connors, Sharon Krause, Charles Larmore, Govind Menon, Arto Nurmikko, Tricia Rose, Andy van Dam, Rajiv Vohra, and Edward Wing.

Professor Neumann set the format of the discussion according to past practice: the Provost is asked to speak, the faculty who are present suggest areas for discussion, Prof. Neumann writes these topics on the blackboard, faculty discussion proceeds according to the topics outlined.

Provost David Kertzer summarized the origins and trajectory of the Committee's report. The proximate cause that generated concern was the NEASC accreditation report of a year ago, in which one criticism pointed to Brown's tenure system. This criticism caught the attention of the Corporation, who asked the Provost to look into it. Provost Kertzer said the issue is of interest not just to the Corporation but to all faculty, who must be invested in wanting Brown to be as strong as it can be, and that Brown must periodically look at the way in which we promote junior faculty and how we grant tenure, the single most important thing that we do, he said. He outlined the venues -- meetings of the Department Chairs, the Faculty Executive Committee (FEC), the Committee on Faculty Equity and Diversity (CFED), and TPAC -- in which this report on Tenure and Faculty Development is being presented for discussion within these two weeks, preparatory to bringing a final set of proposed changes to the Faculty Rules to the May 4 Faculty Meeting for a vote. He called attention to a supplementary 2-page publication now made available, the "Recommendation of the Committee on Tenure & Faculty Development: Revisions to Faculty Rules and Regulations," which summarizes the specific Faculty Rules affected, and the basis of recommendations to be presented at the May 4 Faculty Meeting that would need to be changed by Faculty vote.

Dietrich Neumann then asked the faculty present to suggest topics to be covered in the Faculty Forum discussion. Faculty suggested the following:

Hal Roth (Religious Studies) wanted discussion of the proposal that the Provost choose candidates for TPAC membership.

Ed Ahearn (Comparative Literature, French) suggested discussion of the role of the Dean of the Faculty in due process.

Joachim Krueger (Psychology) posed the question of what assurance there is that the committee proposals, if adopted, would actually solve the problems being diagnosed in current tenure processes.

Ebony Bridwell-Mitchell (Sociology) asked for discussion of the rationale for changing the number of outside examiners' letters in the tenure review process from 5 letters to 10 letters.

Stephanie Merrim (Comparative Literature, Hispanic Studies) posed the issue of tenure criteria and tenure clocks: if the tenure clock changes to 8 years, will there be a concomitant change in criteria for tenure -- will the criteria be changed along with the clock?

Masako Fidler (Slavic Languages) proposed discussion of the role of CFED (Committee on Faculty Equity and Diversity) in this proposed tenure process.

An unidentified faculty member asked for discussion of why lowering the tenure rate would strengthen the university.

Andrea Simmons (Psychology and Neuroscience; Chair, Nominations Committee) wanted discussion of the impact of this report on promotion to Full Professor.

Kim Boekelheide (Biomed, Pathology and Laboratory Medicine) wanted discussion of the proposal to split TPAC into 2 subcommittees.

Donna Wulff (Religious Studies) proposed discussion of the issue of transparency.

Ed Ahearn (Comparative Literature, French) raised two questions about the proposals, first, the issue of not communicating to the candidate the names of writers of letters of recommendation; and second, the procedures involving written evaluations sent to TPAC: who will write that?

Anita Zimmerman (BioMed, Molecular Pharmacology, Physiology & Biotechnology [MPPB]) suggested two issues under the rubric of "evidence of success": (1) bias in the method of selecting the letter writers; (2) her proposal that a more objective method of achieving success would be an appropriate evaluation of tenure-and-promotion guidelines within each academic department, to be compared to similar departments outside the university.

Jim Valles (Physics) asked for discussion of the proposed letters to be sent by the Dean of the Faculty to potential referees: what will such a letter be asking for?

Corey Walker (Africana Studies) called for discussion of the proposed timeframe for adoption of these recommendations, and potential links between the small timeframe and issues of transparency, faculty governance, and administration.

Naoko Shibusawa (History) posed the question whether, at the May 4 faculty meeting, faculty have to vote for whole package or can treat each faculty rule change separately.

Nancy Jacobs (Africana Studies, History) asked whether any estimates have been made of how large the Dean of the Faculty's office will have to be to send all these letters. She also posed discussion about grievance process: will there be cases that go to grievance?

A faculty member from Political Science proposed discussing what happens to junior faculty who may have been here for 4 or 6 years under the old rules.

Dietrich Neumann grouped these questions and listed the following topics on the blackboard, in order to guide discussion:

1. Evidence of success?
2. Dean of the Faculty (DOF), involvement?
3. TPAC procedures
4. CFED (Committee on Faculty Equity and Diversity)
5. Departmental procedures
6. May 4th faculty meeting

Then general discussion began with the first topic, "Evidence of success?"

Provost Kertzer said that the report is not a proposal from the administration, that eight of the committee's eleven members are faculty. He reiterated that the rationale for the report is to deal with things in Brown's system that could be stronger. He spoke to the importance of getting as much expertise in the tenure process as possible and cited as an example the question whether only 5 letters (from external tenure reviewers) is sufficient for a 40-year institutional commitment to a faculty member. He has been and will be in discussions with the URC, the APC, and the Nominating Committee on these questions.

Stephen Foley (English) asked a philosophical question: whatever the number of letters, whether 5 or 15 letters are required, if TPAC members only look at two paragraphs of two letters, what guarantee is there of success?

Sheila Blumstein (Cognitive Science and Linguistics; member of the Committee on Tenure and Faculty Development) said that TPAC should be responsible, that reading only one paragraph is not responsible, and that TPAC does not do this.

Joachim Krueger (Psychology) said that according to the report, if there was a problem at Brown, it was that the tenure rate would be too high, but that he did not see in the report how the proposed process would fix that problem. What he did see was a proposal that would give more power, more influence on the process, to the administration. Secondly, he saw in the report less difference from other institutions than he would have expected.

Arnold Weinstein (Comparative Literature) said that what the report recommends in the values concerning faculty excellence, teaching, and citizenship, that are important to the mission of this university, differs from the model preferred in some of the large research universities used as comparisons.

Ed Ahearn (Comparative Literature, French) said that he was concerned not so much about the number of letters, but instead about the increased empowerment of the administration in the tenure process. He did not know, he said, how any Dean of the Faculty would have expertise to cover all the fields in a university; he was concerned about the idea of the DOF adding letters of reference, and he wanted clarification about the kinds of content the DOF would put in letters. He said that the report suggested that departments at Brown have more autonomy than at many institutions; but the real question is of expertise in the Dean of the Faculty's office. How could letter writers chosen by the DOF be superior to those chosen by departments?

Ruth Colwill (Psychology) said that she was concerned that departments, where expertise lies, are being undermined. She noted the report's rationale to get more high quality expertise into the system, and she posed questions about both the DOF's and the Provost's proposed roles with respect to the question of expertise. First, in the proposal that the DOF add letters, what is the process by which he will add expertise? Second, how will the Provost decide on the quality of expertise?

Joan Richards (History) said that the report is a statistical measure, whereas TPAC acts on individual cases; the two (problem and solution posed by the report) don't match. She suggested that, for example, hiring more junior faculty would make the statistics go up but would not address the TPAC process, and she thought all this is a smokescreen. She posed a challenge to come clean about what is being proposed and expressed concern about what is good for Brown.

Dore Levy (Comparative Literature) said that in regard to the report's statistical data, she couldn't discern a rationale for the argument that a higher tenure rate at Brown is deleterious to the status of Brown faculty. She reminded the faculty that the comparison institutions are different from Brown; for example, Princeton and Harvard provide much more research support and salary than Brown does. She fails to see how a recommendation to lower the tenure rate will produce excellence, especially considering these institutional distinctions. She proposed instead that statistics be gathered and presented department by department, and correlated with equivalent departments internationally.

Ann Dill (Sociology) reported looking at a few of the institutions compared in the committee's report with Brown. Dill cited Princeton, which has no provost's role in tenure, and the University of Pennsylvania, where departmental tenure recommendations go to higher committees constituted by faculty and not to administrators, and she asked what precedents are there for an administration to have such an important role in the tenure process?

Anita Zimmerman (BioMed, MPPB) argued against having deans or provosts choose letter writers, especially to lower the tenure rate, because of the subjectivity that would introduce to the tenure process. Zimmerman warned against empowering an office that might potentially be filled by people not qualified to review a candidate's work. As an alternative method to guarantee the high quality of the faculty, Zimmerman proposed that Brown should evaluate each department's tenure criteria, then send those criteria to other universities and ask how they compare, then present the objectively measured criteria to Brown's junior faculty. Otherwise, Zimmerman warned, it is very subjective.

At this point, members of the Committee on Tenure and Faculty Development were invited to address the concerns being raised. There were no immediate responses.

Ebony Bridwell-Mitchell (Sociology) proposed adding another "process" category for discussion, the question of institution-wide effects. Bridwell-Mitchell cited her sociological expertise in studying organizations; she asserted that any change in an organization will have many effects, and that once recommendations for change have been reviewed or proposed, Brown needs to look very carefully at the effects and consequences throughout its institutional organization. For example, how much more time would have to be given to TPAC to read ten letters rather than the current five?

Chung-I Tan (Physics; Chair, FEC) stopped the proceedings temporarily at this point, because a student who did not have authorization to be present was discovered. The student left the room after receiving explanation of the pertinent faculty rules.

Dietrich Neumann returned the discussion to the topic of Dean of the Faculty involvement, and he invited Rajiv Vohra, Dean of the Faculty, to address concerns being raised.

Rajiv Vohra (Dean of the Faculty; member of the Committee on Tenure and Faculty Development) acknowledged several faculty questions about how the proposals would change the tenure rate, and he said that the report does not say these measures will fix the tenure rate. The task, he said, is to think about the kind of information that would make it possible for whatever group is reading the tenure evaluations to come to resolution; the report's proposal is more about providing information; the report is not saying that its proposal will solve the tenure rate. Dean Vohra said also that it was not the case that TPAC did not have enough time; insuring that members have more than enough time to review tenure cases is ongoing. Concerning the role of the administration, Dean Vohra said that current rules do allow for additional information to be sought after a tenure case leaves an academic department. Dean Vohra said that TPAC has done this, and what is likely to happen is that additional information will be sought more systematically. While the minimum number of external tenure review letters is now five, Dean Vohra said, it is common for departments to bring more letters, and so this proposal makes clear what the actual (unwritten) expectation is. Dean Vohra noted that the office of the Dean of Medicine and Biological Sciences was also implicated in the tenure processes along with the office of the Dean of the Faculty. Concerning the committee's recommendation that the department's list of external reviewers be vetted by the Dean of the Faculty before it goes

to TPAC, Dean Vohra said that the rationale is to make sure there is enough information, that everything would be easier if that happened up front. Concerning the Provost's selecting candidates for membership of TPAC, Dean Vohra said that the Provost is the chief academic officer of the university, who makes the tenure decision, and there is sense in the Provost being involved with that process. Dean Vohra said that of course, no one individual will know everything about everything, and that is not the expectation.

Many hands were raised to speak in response to Dean Vohra's statements.

Harold Roth (Religious Studies and East Asian Studies; past Vice Chair of TPAC), noting his experience as past Vice Chair of TPAC, said that there is no justification for the Provost having a sole role in selecting candidates for TPAC. The only justification offered is that TPAC is an important committee. He cited a half dozen instances where there was strong disagreement between the Provost and TPAC on a tenure case, and he pointed out the dangers of the office of the Provost being involved in faculty decisions by having a strong role in selecting members of TPAC.

Andrea Simmons (Psychology and Neuroscience; Chair, Nominations Committee) contested the committee's concluding statement on TPAC on page 22 of the report, which reads as follows:

"For the two other faculty committees generally regarded as dealing with the most crucial decisions made each year by the University -- the Academic Priorities Committee in the realm of academic program decisions and the University Resources Committee in the realm of budgetary allocations -- the Provost is given a significant role in determining the candidates for election. The committee remarked on the fact that no such procedure is in place for selecting the members of TPAC. We concluded that while TPAC members do typically meet the standard enunciated at the beginning of this paragraph, it would be advisable to follow the same process as is used in selecting candidates for election to APC and URC and give the Provost a role in ensuring that all do. The committee therefore strongly recommends that the slate of candidates for election to TPAC be determined by the Provost in consultation with the Nominating Committee of the Faculty."

She said that this statement does not represent current faculty rules. Current faculty rules and what is proposed in the report are very different procedures, with the result that now the faculty choose, vs. the proposal that the faculty only consult, about the membership of TPAC. She said that it is really important that TPAC be an independent faculty committee. Among other things, TPAC is concerned with candidates being faced with bias within their departments, who need an independent body to go to.

Provost Kertzer addressed the question of selection of TPAC members and the rationale for having the Provost's office determine the slate of candidates. He said that right now, the way the Nominating Committee works is that faculty get solicitations to nominate themselves and then the Nominating Committee experiences difficulty finding

enough candidates. TPAC is an important committee, he said, and he asked whether it wasn't difficult for most faculty to know all faculty, and enough about the faculty, to choose knowledgably between any two candidates for such an important committee. He stated his criteria for TPAC candidates: he looks for faculty who model the behavior Brown is looking for in faculty, in scholarship, teaching, and good citizenry. That is the rationale for this recommendation, he said.

Reda Bensmaia (University Professor, French, Comparative Literature) said that concerning review stages of the tenure process, he did not understand why the department Chair's report should not be given to the candidate directly, since it would have been already discussed by the department and would be official record; he thought Chairs should be allowed to give the Chair's report directly to the candidate and follow up with a discussion about it.

Susan Smulyan (American Civilization) said that she has served on the faculty Nominating Committee, and she disagreed with Provost; the Nominating Committee has the most trouble filling slots on committees like the URC -- committees where nothing goes on -- but that TPAC candidate slates are not hard to fill; faculty see them as important. She said that it is hard to conceive of a tenured faculty member whom the Provost would find not acceptable to serve on TPAC, and that it is insulting to the faculty for the Provost to suggest that some faculty are not good enough to serve.

Don Forsyth (Geology) said that he has served on both TPAC and APC (Academic Priorities Committee), and he assessed committees like the APC and URC as basically associated with advising. They are different from TPAC, which, he argued, should be as independent as possible.

Dean Vohra, responding to Reda Bensmaia's question, said that concerning annual reviews of junior faculty, what the university does not want are annual reviews conducted after a brief interval like six months that say everything is going great, because such statements are difficult to retract later, after the junior faculty member has been here longer, and the Dean would like to discuss Chair's reports before the faculty member sees them to prevent that; also, he said, sometimes the annual review report has not been discussed by the whole department.

Provost Kertzer addressed the comparisons among TPAC, URC, and APC. He thought it odd to say that the URC has no influence, and asserted that it does have impact. He acknowledged that TPAC is the most influential and important committee, among the committees with faculty membership. He wished he could be convinced that every faculty member at Brown knows the rest of the faculty well enough to judge TPAC's membership.

Corey Walker (Africana Studies) asked, "Why do we have to convince the Provost?" He said that the faculty is engaging in democratic process, and that the Provost's statement revealed a different assumption. He said that a core issue of governance of this university is at stake, and if the faculty do not have shared governance, what are the faculty here for? He cited Columbia University's report on their tenure processes and assessed it as superior

to this Brown report: Columbia produced a more extensive report based on a longer, more drawn-out process that gave more attention to widespread organizational ramifications, including faculty governance. He warned that if Brown has an outside review (NEASC) that advises non-faculty interference in the tenure process, and if that advice becomes the rationale for the administration, then Brown already has a crisis in faculty governance. He said that in the fall (2009), the faculty were assured that nothing had been decided, that no proposals were formulated; but that now such proposals emerged and were being presented in a short time frame. He concluded that this process demonstrates "not excellence." (Some applause broke out among faculty, in support of these points.)

Masako Fidler (Slavic Languages) spoke to a concern about transparency. She asked to what extent information gathered by the DOF or Provost would be released? Provost Kertzer said that at Columbia, information goes to an ad hoc committee appointed by the Provost. In the Brown committee's recommendations, the academic department, as now, would generate the names of tenure referees, but then the DOF would go over the names. One difference between Brown and its peer institutions, he said, was that at peer institutions there was another stage of vetting names of tenure referees, not seen by the department. Masako Fidler (Slavic Languages) asked what information is gathered by TPAC. Provost Kertzer said that currently, TPAC has the right to gather more letters. Masako Fidler (Slavic Languages) followed up with the question of whether such additional letters and their information were released to departments? This issue remained confused.

The discussion turned to the topic of CFED (Committee on Faculty Equity and Diversity) and questions of grievance. Provost Kertzer drew comparisons between the Grievance Committee and CFED.

Evelyn Hu-Dehart (History and Center for the Study of Race and Ethnicity in America), speaking as a member of the FEC, said that CFED combines what used to be the Faculty Affairs Committee, Committee on the Status of Women, and Committee on Diversity in Hiring with a number of other committee functions. The practice of CFED, whether or not it is in writing, is a tradition of reviewing denial-of-tenure decisions in cases where there is an allegation of a breach of the Brown Corporation statutes of nondiscrimination. CFED also looks at procedural fairness, regardless of interest, and it is absolutely understood by everyone that CFED should continue to do that.

Corey Walker (Africana Studies) said that CFED's charge is written broadly to promote faculty interests, so that when CFED looks at guidelines concerning equity and promotion, their interest is not limited to noncompliance. CFED does reviews in cases for nondiscrimination but also takes a much more broad approach, which brings it into line with American Association of University Professors (AAUP) guidelines, to review all parts of the process from department through provost. He raised questions of the role of the President and Provost as *ex officio* members of TPAC, and their roles in what information is requested, how that information is disseminated, and how the information is acted upon. He said that the AAUP is clear on these; if there is to be a robust tenure process, it must be clear, including minutes from the TPAC meeting. He thought these issues raised the question of why the Brown faculty are considering acting on recommendations that have

not been vetted properly, on May 4. He said that the faculty should be very careful about acting on any proposals that have such scope and will change the character of this university. (Some supportive applause.)

Provost Kertzer said that the report's only recommendation concerning CFED applied to cases of compliance with the Corporation's statutes of nondiscrimination.

Dietrich Neumann asked for discussion on the topic of departmental procedures.

Jim Valles (Physics) spoke to improving the tenure process through improving information. He said that he liked the recommendation that the final list of referees be kept from the candidate, since earlier the candidate will have been shown the whole list from which names would be drawn. However, he did have questions about the Dean of the Faculty soliciting referee's letters; the document talks about originality, impact, and sustainability as criteria for tenure evaluation, but he was not sure that all current letters to referees speak to these criteria. Questions like "would this candidate get tenure at your institution" are typical. He requested more information about the letters of solicitation of referees.

Kim Boekelheide (Biomed, Pathology and Laboratory Medicine), speaking from experience as past Chair of TPAC, made critical comments about the idea of TPAC having two subcommittees. He was concerned about several kinds of slippage that would result, and among them he noted that there is as much dissimilarity among sciences as between divisions, sometimes, so the principle of separation is flawed.

At this point several more students, who did not have authorization to be present and who had not identified themselves when the previous student was asked to leave, were asked to leave. Chung-I Tan asked publicly if any other students were in the hall. Only one raised her hand, and she was recognized as a *Brown Daily Herald* reporter who had authorization to attend the Faculty Forum.

After the interruption, two different opinions on the recommendation of a two-subcommittee TPAC were voiced, one that disagreed about the "disciplinary slip" point, and one that expressed concern that an unintended consequence of two subcommittees would be two different sets of standards.

Peter Richardson (Engineering; Parliamentarian of the Faculty) spoke to the question of whether, at the May 4 faculty meeting, faculty have to vote for the whole package or can treat each faculty rule change separately. He offered the procedural information that according to *Robert's Rules of Order* (Newly Revised 10th edition, Chapter 8, section 27), when a motion comes up, one may make an "incidental motion" to move "Division of the Question," which allows one to divide the motion so that each part of the motion can be discussed separately. He suggested that brushing up on *Robert's Rules of Order* would help at the Faculty Meeting.

Ruth Colwill (Psychology) agreed with reservations about the two-subcommittee TPAC idea and expressed concern about TPAC and diversity. She pointed to a pattern of masculinization: the members of TPAC who reviewed her for promotion were male; the difficulty for women in sciences to serve on TPAC was illustrated by resignation of the one female scientist on the committee. She said that she was aware of an external review of faculty at Brown that addressed women faculty at Brown, but that it had never been discussed, and in this review of tenure processes, issues of diversity concerning women had not come up in the DOF nor Provost's discussions.

Provost Kertzer said that where the recommendations were trying to strengthen the faculty, they were also interested in helping to develop faculty careers, fairly. He said that the main idea about TPAC is that there is an ever-increasing workload on TPAC, with 100 new faculty, and that a hurried quality to TPAC's consideration of cases is to be avoided.

Dore Levy (Comparative Literature) proposed [in lieu of a two-subcommittee TPAC] that TPAC members be given a course release. She saw the situation as a question of resources, and invoked comparison to other universities. She suggested that course releases could be staggered to schedule some for fall, some for spring, and that the schedule of TPAC could be adjusted to the balance. Then, she said, TPAC members will certainly have the time they need, and everything is fair.

Provost Kertzer said that there are other ways to do things, and the two-subcommittee TPAC was what the committee thought would work. He stressed that the Committee on Tenure and Faculty Development were trying to get the best result, and he hoped that faculty would see that this is not "administration vs. faculty." He spoke of other opportunities for discussion.

Dietrich Neumann turned to the topic of the May 4 faculty meeting and noted one question that had been asked before: is there a possibility of voting on separate parts, without necessarily voting for all the recommendations? Provost Kertzer said that that could be discussed, but that some of the recommendations go together.

Dietrich Neumann adjourned the Faculty Forum at 5:30.

Respectfully submitted,

Elizabeth J. Bryan
Secretary of the Faculty Forum