

The Board of Higher Education of the City of New York

Statement of the Board of Higher Education on Academic Personnel Practice in the City University of New York

In the past year, the Commission on Academic Personnel Practice made an extensive study of all policies and procedures concerning faculty personnel matters in the City University, and submitted its report to the Board of Higher Education in October 1974. In its deliberations the Commission heard testimony from a number of faculty members, students and administrators. Since the report was submitted, the University Faculty Senate, the University Student Senate, and the Professional Staff Congress, have all offered their views to the Board. The Chancellor, together with the Council of Presidents, have submitted their own recommendations to the Board. After reviewing all the pertinent documents, the Board hereby adopts the following as policy in matters of academic personnel practice:

I. General Policy

- 1) The Board recognized the historic tradition which vests both the privileges and responsibilities of academic governance in the faculty of a college. The faculty, as the body chiefly responsible for the educational mission as well as for academic standards, is that part upon which the health of the whole institution depends. In this role, the faculty has a long tradition of collegiality, in which its various educational responsibilities are freely shared among its members.

Central to the exercise of this collegial responsibility is the practice of peer judgment, by which the faculty assumes the responsibility for its own vitality. In this role, the faculty sets standards for its own qualifications, ethics and performance. The collegial body itself maintains such standards by the exercise of its own authority. But such authority, if freely consented to, must be responsibly and regularly exercised. Thus, the willingness of the faculty to judge itself rigorously determines its capacity to define the institution's mission and to maintain its standards.

As the executive agent of the college, of the Board as well as the principal academic officer, the President plays a pivotal role in all faculty personnel matters at the college level.

The President, as the person ultimately responsible to the Board of Higher Education, is accountable for seeing that the mission of the college fits into the broader mission of the University. Within the college itself, the President, in his

capacity as principal academic officer, is similarly responsible for bringing to bear on all faculty personnel matters a broader institutional concern.

The President must thus be the guarantor of the integrity of all faculty personnel processes. He must be accountable for the overall quality and appropriateness of the faculty at his institution. And he must also be the educational leader of the faculty.

In the daily administration of academic personnel practice at the college, the President shall be responsible for introducing into all faculty personnel deliberations those college-wide considerations which make a faculty decision both feasible and rational. In practice, the President shall be responsible for making known information on all institutional factors, such as projected enrollment, budgetary matters, program priority, which must be taken into account at every level of personnel action. The President shall be held accountable for seeing that such pertinent institutional information is assembled, and that those faculty concerned with personnel decisions are familiarized with it in a timely fashion for their deliberations.

- 2) Department chairmen shall hold professorial rank (assistant professor, associate professor or professor) and be tenured at the time of election. In cases where a department has two or fewer such members, the President may, after consultation with the departmental faculty, appoint the chairman.* Colleges and/or departments in existence for less than seven years may be exempt from compliance with this requirement for a period of up to seven years from the date they became functional.

In those instances where an individual is recruited to serve as chairman from an institution outside of the City University, the requirement for tenure may be waived.

* The General Counsel to the Board shall be instructed to determine what, if any, change in the Board's Bylaws is necessary to effect this new policy, and to prepare for the Board's approval such amendments as are deemed necessary. Incumbent chairmen who do not meet these requirements should be permitted to fulfill the term of their chairmanship, and this should be effected in the implementation of the Policy Statement.

- 3) a) No faculty member who does not hold senior rank (associate professor or professor) shall vote on any promotion to full professor. It is the intent of the Board that faculty decisions concerning tenure shall be rendered by committees composed predominantly of tenured members. Accordingly, no more than one non-tenured faculty member should serve on departmental personnel and budget committees. This provision shall not apply to new colleges or newly organized departments which have fewer than five tenured faculty members.

- b) In newer colleges or newly organized departments where there are too few faculty members available to serve on faculty personnel committees for the actions in 3.a. above, the President, after consultation with the faculty, shall create an ad hoc committee to decide on those personnel actions.
- 4) The Board reaffirms its commitment to the consideration of student evaluations in faculty personnel decisions involving reappointment, promotion and tenure, according to the provisions in the governance plan in effect at each college.
- 5) The senior faculty shall have special responsibilities for maintaining the academic vitality of their departments. One of the principal means of exercising this responsibility is the continuation of peer evaluations of members of the faculty, with special attention to their diligence in teaching and professional growth. Another chief responsibility of the senior faculty is to orient their junior and newly appointed colleagues. Senior faculty shall be available for such consultation and assistance in problems of both scholarship and teaching as the junior faculty may require, and this mandate shall be considered a part of the professional obligations of the permanent faculty.

II. Recruitment

The Board agrees with the findings of the Commission on the nature and scope of the recruitment process at the various colleges of the University. It fully supports the Commission's understanding that the quality of all faculty personnel decisions and of the faculty itself, depends upon the quality of the initial recruitment effort.

- 1) The recruitment process is essentially a continual one. Because of the City and State structures within which the University's budget process operates, the University cannot expect to clarify the availability of budget lines before the late Spring of a given academic year. Because of this the recruitment effort for any full-time faculty appointment should normally be of at least one year's duration. When an appointment must be made without such an effort, the candidate appointed shall be apprised that the search is continuing.
- 2) The primary responsibility for recruitment shall rest with department chairmen, who in turn are responsible for the work of the personnel committees which they chair. Department personnel committees shall be accountable for their recruitment efforts, and they shall maintain written records of the recruitment process. *
- 3) Each position for which a department recruits must be justified and defined on the basis of the following criteria:

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- a) The need for the position must be clearly established in the context of such department factors as the current state of its faculty in terms of age, rank and areas of specialization, the development of new aspects of the discipline, future needs of new programs, and projections of student enrollment.
 - b) The need for the position must be clearly established within the context of such college-wide factors as long-range plans and budget priorities which have been set for departmental consideration under I, 1. The President, after consultation with the faculty and appropriate governance bodies, shall also have final responsibility for setting College-wide priorities for recruiting.
 - c) Those academic and professional credentials and qualifications which are appropriate to the position and rank, in conformity with the needs as determined by (a) and (b) above, must be clearly established.
 - d) A full statement, of the terms and conditions of employment, and of the statutory evaluative criteria and procedures for reappointment and tenure, shall be given to all candidates.
- 4) When the need for a position is clearly established on the basis of the criteria above (II, 3), the department shall mount a recruiting effort on a national scale that includes but is not limited to the following features:
- a) notice that the University is an equal opportunity employer;
 - b) advertisement, including all pertinent data concerning the position in the appropriate scholarly and professional journals and periodicals;
 - c) notice of the position throughout the University, including at the appropriate departments of the various colleges, for the benefit of any employees, part-time or full-time, who might be qualified;
 - d) full consideration of all unsolicited applications in the possession of the recruiting department and college as well as all adjunct faculty who wish to be considered.
 - e) maintenance of written records on the procedures used in the recruitment effort and in selecting a candidate to recommend for appointment. Such records must include whatever other data may be required for compliance with the federal affirmative action regulations. The records shall also include verification of the credentials of the candidates presented to the Board of Higher Education for appointment, and of the proper observance of announced closing dates for application.
- 5) There shall be a University standard letter of appointment
- 6) the Chancellor will publish annually an analysis of the University's recruitment procedures, a sampling of its recruitment records, and his own judgment as to the

adequacy of the recruitment effort. This report will attempt to analyze and evaluate each college's performance, but will not focus on individual cases.

III. Reappointment

The Board reaffirms the Commission's insistence that the decision to reappoint and the decision to tenure are two separate and distinct acts. Similarly, the Board reaffirms its position that no appointment carries with it the presumption of reappointments or of eventual tenure.

- 1) In order to enhance and maintain flexibility in recruitment, appointment and re-appointment, the Board authorizes the option of two-year appointments for full-time members of the instructional staff, in appropriate instances, at the discretion of the college.
- 2) Decisions to reappointment faculty members shall take into account such institutional considerations as have been established and disseminated as a framework for all academic personnel actions. *
- 3) the criteria upon which decisions to reappoint are based shall be as follows:
 - a) First Reappointment Candidates for reappointment at the end of their initial term of appointment on a full-time line shall be evaluated on the basis of the following criteria:
 - (i) Teaching effectiveness – There are a variety of ways, including classroom observation, to evaluate this criterion. The evaluation, however, should extend beyond the classroom, since the faculty member's obligation to the students goes beyond normal class hours. Personnel committees should consider student evaluations as a factor in assessing the teaching effectiveness of an instructor.
 - (ii) Scholarly and Professional Growth Candidates in tenure bearing titles for the first reappointment are expected to demonstrate their potential for scholarly work and their achievement in some of the following ways:
 - a) Evidence of research in progress leading toward scholarly publication.
 - b) Publication in professional journals
 - c) Creative works, show and performance credits, etc., when such are appropriate to the department.
 - d) Development of improved instructional materials or methods.

- e) Participation in activities of professional societies.
 - (iii) Service to the Institution – Since all full-time faculty members share broad responsibilities toward the institution, work in department and college committees should be considered in over-all evaluations. Although it is understood that not all junior faculty members will have an opportunity to serve on important committees, their evaluation should consider evidence of their informal contribution to such committee work and their participation in other regular administrative activities such as governance, registration, advisement, library and cultural activities.
 - (iv) Service to the Public – A candidate, though not expected to so for the first reappointment, may offer evidence of pertinent and significant community and public service in support of reappointment.
- b) Second and Subsequent Reappointment. In addition to criteria for the first reappointment candidates for the second or subsequent reappointment shall be evaluated on the basis of the following criteria:
 - (i) Teaching Effectiveness – Evaluation of this criterion shall include contractual teaching observations and peer judgments: assessment of the instructor's effort and success in developing new methods and materials suited to the need of his students: and assessment of student evaluations, and of other non-classroom educational efforts such as academic advisement.
 - (ii) Scholarly and Professional Growth – Candidates for the second and subsequent reappointments are expected to offer evidence of scholarly contributions to their disciplines. Evaluations of the quality of such work may be sought from outside the department. Achievements in the period following the last reappointment should be evaluated on the basis of publications of scholarly works in professional journals, or reports of scientific experimentation; scholarly books and monographs, and evidence of work in progress; significant performance or show credits or creative work; and improved instructional materials and techniques that have been found effective in the classroom either in the City University or elsewhere.
 - (iii) Service to the Institution – Effective service on departmental, college, and university committees.
 - (iv) Service to the Public – Institutions of higher education are expected to contribute their services to the welfare of the community. Although such activities are a matter of individual discretion and opportunity, evaluation of a faculty member for reappointment should recognize pertinent and significant professional activities on behalf of the public. The absence of this contribution should not work to the

disadvantage of any candidate for reappointment.

- 4) Judgments on reappointment should be progressively rigorous. In the second and subsequent reappointments, a candidate should be able to demonstrate that he has realized some of his scholarly potential. Similarly, standards of acceptable performance as a teacher should be graduated to reflect the greater expectations of more experienced faculty members.

IV. Tenure

- 1) The decision to grant tenure shall take into account institutional factors such as the capacity of the department or the college to renew itself, the development of new fields of study, and projections of student enrollment. *
- 2) The criteria upon which decisions to tenure are based shall be as follows:
 - a) Teaching Effectiveness – Tenure appointments shall be made only when there is clear evidence of the individual’s ability and diligence as a teacher.
 - b) Scholarship and Professional Growth – Evidence of new and creative work shall be sought in the candidate’s published research or in his instructional materials and techniques when they incorporate new ideas or scholarly research. Works should be evaluated as well as listed, and work in progress should be assessed. When work is a product of a joint effort, it is the responsibility of the department chairman to establish as clearly as possible the role of the candidate in the joint effort.

The following factors may be supplementary considerations in decisions on tenure. The weight accorded to each will vary from case to case.

- c) Service to the Institution – the faculty plays an important role in the formulation and implementation of University policy, and in the administration of the University. Faculty members should therefore be judged on the degree and quality of their participation in college and University government. Similarly, faculty contributions to student welfare, through service on committees or as an advisor to student organizations, should be recognized.
- d) Service to the Public – Service to the community, state and nation, both in the faculty member’s special capacity as a scholar and in

areas beyond this when the work is pertinent and significant, should be recognized. *

3) Tenure shall not normally be granted before the fifth annual reappointment. Only in exceptional cases may tenure be granted before that time: when appointment to the faculty at the University requires the continuation of tenure previously awarded by another institution of higher learning; when a prestigious fellowship valuable to the college concerned interrupts continuous service during the probationary period; or when some extraordinary reason indicates that the college would be well served by the early grant of tenure. *

4) The Chancellor will publish annually a report on tenure in the University, which analyzes the actions of each college and contains such pertinent data as may be of assistance to the college in the management of tenure. The report will also contain the Chancellor's judgment on the quality of tenure procedures and actions.

V. Promotion

The Board fully supports the Commission's recommendation that the criteria established above for reappointment and tenure apply equally to decisions on promotion. It also reaffirms the Commission's caution that judgments on promotion be sufficiently flexible to allow for a judicious balance among excellence in teaching, scholarship, and other criteria.

When considering decisions on either promotion or tenure, personnel committees should bear in mind that the two judgments represent two distinct acts. Just as it would be unwise to promote those whose qualities for tenure are questionable, so it would be equally ill-advised to tenure those whose capacity for promotion to senior rank is judged to be limited.

1) The criteria for promotion shall be as follows:

a) To Assistant Professor (technically a new appointment) – The “ candidate must possess the Ph.D., degree and submit evidence of qualification to meet, in due time, the standards required for the first reappointment. Those persons without the Ph.D. currently holding positions as Assistant Professors and Instructors at the Community Colleges shall not be affected by this provision. *

Until the committee appointed by the Chancellor to study equivalencies and waivers has made its report, the Bylaw statements dealing with equivalencies and waivers will remain in force.

b) To Associate Professor – the candidate shall present evidence of scholarly achievement following the most recent promotion, in addition to evidence of continued effectiveness in teaching; the candidate should thus meet the qualifications required above (IV, 2) for tenure.

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c) To Professor – The candidate must meet all the qualifications for an Associate Professor, in addition to having an established reputation for excellence in teaching and scholarship in his discipline. The judgment on promotion shall consider primarily evidence of achievement in teaching and scholarship following the most recent promotion.

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A true copy of resolution from the minutes of the Board of Higher Education