

JOURNAL OF THE UNIVERSITY SENATE

Special Session, March 1, 1957, 4:10 P.M.
Monnet Hall, Room 101

The University Senate, meeting in special session, was called to order by the Chairman, Dr. Jim E. Reese.

Present

Benson, Oliver
Bowen, Willis
Clark, Ralph W.
Crook, Kenneth E.
Crites, Dennis M.
Daron, G. H.
Dunham, Lowell
Ezell, John S.
Feaver, J. Clayton
Fraser, George B.
Hall, Rufus G.
Harvey, Harriet
Heilman, Arthur
Herbert, H. H.
Hoy, Harry E.
Keeley, Joe

Present

Keown, William H.
Larsh, Howard W.
Lewis Eunice
Inenicka, William J.
Morris, John W.
Plath, Ernest C.
Powell, Lytle
Raines, John M.
Reese, Jim E.
Rice Leslie H.
Scott, L. V.
Shuman, Ronald B.
Springer, C. E.
Turkington, D. Barton
Warren, Mary A.
Wilcox, Stewart

Absent

Bell, Robert E.
Cross, George L.
Felton, Jean S.
Jorgenson, Lloyd P.
Livezey, William E.
McGrew, William C.
Nielsen, J. Rud
Owings, Donnell M.
Riggs, Carl D.
Smith, William H.
Vliet, R. Dale
Wurtzbaugh, Jewel

ACADEMIC TENURE (File No. 1956-57-3) ✓

Explanatory Comment

For several months the Committee on Faculty Personnel has been considering problems related to academic tenure. At the meeting of the Senate on February 25, much time was devoted to discussion of a report from the Committee. Suggestions and recommendations concerning needed changes in the report were made to the Committee.

At the special session of the University Senate on Friday, March 1, the problems related to academic tenure were discussed further. Following the lengthy discussion, Professor Keeley moved that the report of the Committee on Faculty Personnel on Academic Tenure as revised be approved and submitted to the President. His motion was properly seconded and passed.

Presented on the following pages is the complete report of the Committee on Faculty Personnel as revised and approved by the University Senate. The report deals primarily with appropriate definitions, procedure for granting tenure, and abrogation of tenure.

Report of the Committee on Faculty Personnel

March 1, 1957

ACADEMIC TENURE ✓DEFINITIONS

The term probationary period refers to the period of academic employment at the rank of instructor or at higher rank prior to the achievement of tenure. All persons employed at the University of Oklahoma at the rank of assistant professor or above shall serve a designated probationary period at the University regardless of length of service at other institutions, and they shall be so notified in writing.

Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period at the University shall not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is employed at the University, it shall be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby his total probationary period in the academic profession is extended beyond the normal maximum of seven years. (See AAUP 1940 Statement of Principles, Academic Tenure, Sec. 2.)

The probationary period for faculty members appointed after October 1 shall not begin until September 1 of the following year.

The term tenure means continuous reappointment to an achieved professorial rank in conformity with state law and in accordance with the 1940 Statement of Principles of the American Association of University Professors as adopted in 1947 by the University Regents. It is hereinafter understood that such continuous tenure is granted only by specific action of the University. It is further understood that the faculty members in any of the following categories are not eligible for tenure: those whose teaching is incidental to other duties, those who are so related to other regular members of the University faculty as to fall within the nepotism rule established by the Regents.

Definition of teaching: The term teaching means meeting regularly scheduled classes or directing graduate work, provided that these programs are offered in residence for grade or credit.

Definition of incidental teaching for use in determining eligibility for tenure:

1. For the vice-presidents of the University, the deans of the University College and the degree-recommending colleges, regular and continuous teaching of less than one-quarter of the normal load as defined by the University Senate shall be considered incidental.
2. For all other full-time staff members who hold academic rank in any department, school, or college, including directors of schools and chairmen of departments, regular and continuous teaching of less than one-half the normal load as defined by the University Senate shall be considered incidental.

Academic Tenure - continued

All notifications referred to below shall be in writing from the President.

INSTRUCTORS

Persons with the rank of Instructor may serve a maximum of five years and are not eligible for tenure.

An instructor shall be notified by December 15 of his fourth year if he is to receive a fifth year's terminal appointment. If his appointment is not to be renewed during any one of his first three years, he shall receive such notification by March of that year.

PROFESSORIAL RANKS

All persons of the rank of assistant professor or above may regularly expect reappointment to a second year of service.

Assistant and associate professors shall be notified by May 1 of their third year whether they are to receive tenure. Full professors shall be so notified by May 1 of their second year.

A person who has served more than one year as instructor in the University and is promoted to higher rank shall be notified by May 1 of his second year of promotion whether he is to receive tenure.

If the appointment of an assistant or associate professor is not to be renewed for the third year, notification shall be given by December 15 of the year previous.

If a person of the rank of assistant professor or above is not granted tenure at the end of his period of probation, and if his period of probation is not extended, he may retain his position on the faculty until the end of the following academic year.

If the foregoing policies and calendar of reappointment notifications are not complied with, a faculty member may appeal to the University Committee on Faculty Retirement and Tenure.

PROCEDURE FOR THE GRANTING OF TENURE

If the department, the Dean (or Deans) and the Budget Council unanimously recommend that a faculty member be granted tenure, the Budget Council shall send all recommendations to the President.

If there is disagreement among the department, the Dean (s) and the Budget Council, the President's Office shall forward all pertinent material to the Committee on Faculty Retirement and Tenure.

Academic Tenure - continued

Within five days after receiving official notification of a disagreement in recommendations, the Committee on Faculty Retirement and Tenure shall give written notice of a hearing to Committee A, the Dean (s), and the Budget Council.

The Committee shall invite Committee A and the Dean (s) to appear before it for separate hearings and each shall be given sufficient opportunity to present opinions upon the case. In addition the Committee shall be empowered to request the appearance individually of any member of the general faculty and to request relevant information from any source.

Within sixty days after receiving official notification of disagreement in recommendations from the ~~Budget Council~~, the Committee shall make its recommendations in writing to the President; provided, however, that this time limit may be extended by the President.

President's Office

ABROGATION OF TENURE

The procedures to be followed and principles to be observed are those recommended by the AAUP in its section entitled Academic Tenure in the 1940 Statement of Principles.

Dismissal of or failure to renew the appointment of a tenure-holding faculty member who contests his case shall regularly require appropriate action (1) by the Faculty Committee on Retirement and Tenure, which is a standing committee of the University and (2) by the Board of Regents. A member of the Committee who is from the same department as the faculty member contesting the case shall disqualify himself from sitting on it. The Committee shall appoint another eligible member of the faculty in his place.

Academic due process provides for a summary suspension or dismissal of a tenure-holding faculty member only when serious violation of law or immoral conduct is admitted, or is proved before a competent court. Suspension of the faculty member during the proceedings in his case is justified only if immediate harm to himself or others is threatened by his continuance. If he is not continued in his teaching duties, he may be assigned other work during his hearings.

All charges shall be handled according to the following plan, which is designed to insure academic due process:

A. Informal Conciliation

Duly designated representatives of the Office of the President shall meet with the faculty member in a conciliatory session in the hope that both parties can reach a mutually acceptable solution. In the absence of such a solution, the procedures of conciliation should narrow the issues as much as possible.

Academic Tenure - continuedB. Procedure Preliminary to the Hearing

In the period of preliminary action, the administration and the faculty member shall assist each other in preparing the ground for an orderly and comprehensive hearing. The administration shall present to the faculty member a written statement embodying:

1. Relevant legislation of the University Senate, Administration and Board of Regents.
2. The charges in the case.
3. A summary of the evidence upon which the charges are based, and a first list of witnesses to be called.
4. A list of the members of the Committee on Faculty Retirement and Tenure.

The faculty member may select from among his colleagues a person to act as his adviser, or may select counsel to advise him on legal matters. He may, in his discretion, be assisted by both an adviser and a legal counselor. The faculty member shall inform the administration of the identity of his adviser or counsel. (In what follows it is understood that when reference is made to the faculty member, he is, in accordance with his own judgment, acting with his adviser or counsel.)

The faculty member shall review the statement tendered him by the administration and make a reply. The reply shall include any modifications he may wish to suggest regarding either the charges or procedures. It shall also indicate the evidence by which he expects to refute the charges and furnish a first list of witnesses he desires to call.

At this point the administration and faculty member shall, as completely as possible, arrive at agreement on procedural actions and formulation of changes. Communications shall be in writing, with copies retained. Oral discussion shall be followed by an exchange of memoranda indicating the understanding which each party has of the conversation.

C. The Hearing for Tenure-Holding Faculty Members Before the Committee on Faculty Retirement and Tenure

1. The faculty member shall have the right to be present and to be accompanied by his personal adviser or his counsel throughout the hearings.
2. The hearings shall be open unless the faculty member requests that they be closed. If the hearings are closed, such information and facts as are issued shall be at the discretion of the Committee.

Academic Tenure - continued

3. Both parties to the contention shall have the right to present and examine witnesses and to cross-examine witnesses.
4. The administration shall make available to the faculty member such authority as it possesses to require the presence of witnesses, and it shall bear the cost attendant upon the appearance of witnesses at the hearings.
5. The principle of confrontation shall apply throughout the hearings.
6. A full transcript shall be taken at the hearings; it shall be made available in identical form at the same time to the Committee, the administration and the faculty member. The cost shall be met by the University.
7. The full text of the findings and conclusions of the Committee shall be made available in identical form and at the same time to the administration and the faculty member. The cost shall be met by the University.

D. The Hearing for Tenure-Holding Faculty Members before the Board of Regents

1. In the absence of defect in procedures, the conclusions and recommendations of the Committee shall be received by the administration and Board of Regents as prima facie evidence regarding the competence and integrity of the faculty member.
2. The Board of Regents shall entertain the case and admit as evidence in their hearing the full text of the hearings, conclusions, and recommendations of the Committee.

COMMITTEE ON ACADEMIC STANDARDS

Joe Keeley, Chairman	Dale Vliet
Jim Reese	Jewel Wurtzbaugh
John Morris	Leslie Rice
Stewart Wilcox	

ATTENDANCE OF SENATORS
AT MEETINGS OF THE UNIVERSITY SENATE

Following the decision on Academic Tenure, Dr. Raines commented relative to absence of senators and made a motion that the appropriate Committee of the Senate consider the matter of setting maximum absence--minimum attendance regulations for senators at meetings of the Senate. His motion was seconded and passed.

Attendance of Senators at Meetings of the University Senate - continued

The Chairman of the Senate immediately referred this problem to the Committee on Committees.

ADJOURNMENT

There being no other business, the Senate adjourned at 5:30 p.m.

Gerald A. Porter, Secretary

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