

MEMORANDUM

TO: Steering Committee

FROM: Committee on Faculty Affairs (CFA)

RE: CFA Final Recommendation on Tenure at Appointment Policy

DATE: May 14, 2014

Introduction:

In January 2014, Governor Christie signed into law a new statute on tenure in New Jersey state colleges. Part of that statute grants colleges the power to award tenure at appointment to non-administrative faculty who were previously tenured at another four-year institution.

Because this statute may affect faculty to be hired at TCNJ effective Fall 2014, the Office of the President, working with Academic Affairs and the General Counsel, drafted an interim policy. This interim policy will take effect following approval by the Board of Trustees.

On March 7 President Gitenstein sent the interim policy to faculty with a request that a regular policy be implemented through the governance process.

Charge:

CFA should regard the interim policy as a preliminary recommendation and seek testimony from faculty in order to forward to Steering a final recommendation on procedures for awarding tenure at appointment to previously tenured non-administrative faculty.

Background:

On Wednesday, March 5, the Faculty Senate Executive Board met with President Gitenstein and Provost Taylor regarding procedures for granting tenure at hire 1) to faculty who have been tenured at other institutions and who are being hired for administrative positions and 2) to faculty who have been tenured at other institutions and are being hired for faculty positions at TCNJ.

The procedures for administrative positions simply codify procedures already established at TCNJ, but the procedures for granting tenure to faculty in non-administrative positions are new.

The Faculty Senate Executive Board asked Steering to initiate a review of the procedures for the hiring of faculty who are already tenured at other institutions. It is hoped that this review will include careful consideration of the process by which departments review candidates for such positions, particularly in the case of a possible "opportunity hire" in which the candidate has been identified by a dean, the provost, or another administrator rather than through a normal search process.

An AFT request to negotiate the "immediate tenure" provisions of the new tenure bill filed with President Gitenstein on March 27 was rejected. Subsequently, a grievance was filed in which the

Council alleges that the eight state colleges/universities have violated the *Agreement* by failing to recognize the Union as the exclusive representative for developing procedures relating to the terms and conditions of employment; and by (a) failing to present new or amended procedures relating to the granting of tenure under PL 2013, c. 235 to each Local union and/or (b) refusing to negotiate over said procedures after demand is made for such negotiations.

A CFA open forum on the Tenure at Appointment interim policy was held on April 23, 2014. Faculty indicated that Section III (4) of the *Procedures for Awarding Tenure at Appointment at The College of New Jersey to Previously Tenured Faculty in a Non-Administrative Faculty Position* are of concern because they involve only a review of the finalist summary with no department interviews to discuss research and teaching with candidates. Faculty indicated no further concerns with the proposed Policy.

CFA Final Recommendation:

CFA recommends that, in addition to reviewing the Finalist Summary provided by the Office of Academic Affairs, and in order to comment on how the candidate will fit into the home department's needs, mission and strategic goals, the chair and/or the Department Promotion and Reappointment Committee (as defined in the PRD, the "PRC") of the Home Department have the opportunity to meet the candidates personally to discuss research and teaching. Following review of the Finalist Summary and the face-to-face interview with the candidate, the Home Department shall write a letter commenting on whether the candidate meets the standards for tenure in the department and if applicable the standards for Associate Professor or Professor.