

Report of the Faculty Council Fixed Term Faculty Committee: April 16, 2006

Introduction

The Faculty Council established a Fixed Term Faculty Committee in April 2005 (Resolution 2005-9), calling for a committee to be drawn from its own membership, including two tenure-track and four fixed-term members. The Committee was charged to “address working conditions and the status of full-time and part-time fixed-term faculty members” and to “monitor implementation of policies and recommendations concerning fixed-term faculty; review school, college, and departmental policies governing such faculty members; and formulate and propose new policies and procedures for consideration by the Faculty Council.” The Committee was charged to “report to the Council as appropriate to its agenda, but at least annually.”

Faculty Chair Judith Wegner designated committee members for the Fixed Term Faculty Committee in spring 2005, including Professors Cheryl Howell and David Gerber (tenured faculty in the School of Government and Medicine, respectively), and Professors Barbara Jo Foley (Nursing), Robert Cantwell (American Studies), Suzanne Gulledge (Education), and Richard Weinberg (Medicine) (fixed-term faculty members). The Committee met four times: May 25, 2005; February 6, 2006, March 6, 2006, and April 10, 2006. The Committee reviewed prior action of the Faculty Council including resolutions adopted in 2003 and 2005 (attached), and met with Professor Paul Farel who had co-chaired the Chancellor’s Committee on Faculty Appointment, Promotion, and Tenure from 2000-2003

<http://www.unc.edu/faculty/faccoun/reports/APTFinalReport.htm> and participated in a General Administration Committee on Fixed Term Faculty, which issued a report on Non-Tenure Track Faculty in 2002

http://www.northcarolina.edu/content.php/aa/reports/ntt_faculty/BOG_NTT_Faculty_Report.pdf

Resolution 2003-7 called for action on a number of fronts affecting fixed-term faculty, and was supplemented by Resolutions 2004-1C (senior lecturers and professors of practice), 2005-2 (consultation regarding certain fixed-term appointments), and 2005-9 (establishing Fixed Term Faculty Committee). Resolution 2003-7 provided in relevant part:

1. The Faculty Council requests the Committee on University Government to prepare for consideration by the General Faculty an amendment to the Faculty Code of University Government establishing an elected standing committee on Non-Tenure Track Faculty.
2. The Faculty Council endorses the recommendation that each academic unit develop a plan that defines the respective roles and contributions of tenure-track and fixed-term faculty appointments in that unit.
3. The Faculty Council endorses the recommendation that all appointments to fixed-term faculty positions, whether full-time or part-time, contain provisions relevant

to the possibility that funding to cover the full duration of the contract may not be available due to funding rescissions.

4. The Faculty Council endorses the recommendation that, to the maximum feasible extent, no person should be appointed to more than three consecutive one-year terms in a fixed-term rank before appointment to a longer term is made available.
5. The Faculty Council urges the Dean of the College of Arts and Sciences to rescind the administrative rule now in effect that links the term of fixed-term faculty appointments to the term of appointment of the department chair.
6. The Faculty Council requests the Committee on University Government to prepare for consideration by the General Faculty an amendment to the Faculty Code stating the expectation that all appointments and reappointments to fixed-term faculty positions, whether full-time or part-time, will be made with the same consultations within the appointing unit as is the case for appointments to tenure-track positions.
7. The Faculty Council requests the Committee on University Government to prepare for consideration by the Council a proposed amendment to the tenure regulations creating the rank of senior lecturer.
8. . The Faculty Council endorses the recommendation that each appointing unit that makes appointments to graduated ranks using the prefix qualifiers “research,” “clinical,” or “adjunct” develop descriptions of the criteria for initial appointment to and progression through those ranks.”
9. The Faculty Council endorses the recommendation that promotions within fixed-term ranks that differentiate appointment by ranks analogous to those employed in tenure-track appointments follow the same time line for review as is prescribed for tenure-track appointments.
10. The Faculty Council endorses the recommendation that each academic unit include fixed-term faculty in appropriate school and departmental decision-making and advisory venues, except those relating to evaluation and promotion of tenure-track faculty.
11. The Faculty Council endorses the recommendation that deans and department heads make every effort to include fixed-term faculty in professional development activities.
12. The Faculty Council requests the Provost to examine the criteria for awards, particularly those related to service, to ensure that fixed-term faculty are eligible for consideration unless disqualified by the terms establishing the award.

The Fixed Term Committee contacted the Provost’s Office and deans (many of whom have changed since 2003) to determine the extent to which these requests had been implemented. It also drew insight from its own members, discussing the conditions facing fixed-term faculty in their respective schools. In addition, the Committee consulted with other colleagues in fixed term appointments, reviewed the study on Faculty Retention submitted to Faculty Council in fall 2004.

Recommendations

The Fixed Term Committee offers this preliminary report to focus ongoing work by the Faculty Council, the Provost and others for the coming year. Sustained attention to the circumstances of fixed-term faculty is important, particularly given the growing incidence of fixed-term appointments within the academy at Carolina. The Committee therefore recommends the following steps and requests Faculty Council to adopt Resolution 2006-6 as a means of implementation these recommendations.

A. Requests to the Provost Following-Up on Earlier Resolution

1. Communicating Expectations to Deans and Chairs. Because faculty who serve as deans and chairs often rotate in and out of those positions, those entering such positions should be reminded of the expectations of colleagues regarding treatment of fixed-term faculty members. The Committee believes that the Provost's office is in the best position to remind new deans about these expectations and to ask them to incorporate information about relevant issues in their work with their department chairs.

2. Reviewing Status of Action on Prior Recommendations. The Faculty Council requested action on a number of key issues affecting fixed term faculty three years ago. The Committee believes that systematic review of the actions of schools and departments in implementing the recommended actions is needed. It requested preliminary information from all schools in April 2006, but due to the tight time frame, only about a third were able to respond. It will be particularly important to ascertain practices in the largest units (notably the College of Arts & Sciences and the School of Medicine) and to do so at the departmental level.

3. Tracking Personnel Actions. Certain of the prior recommendations can best be addressed by development of a "tickler" system that cues administrative personnel about actions that need to be taken in processing personnel actions involving fixed-term faculty members. Often those preparing appointment letters or reappointment paperwork change are staff or changing personnel (such as associate deans or associate chairs) who may not be familiar with the Faculty Council recommendations if not reminded in a systematic way.

4. Assisting in Data Analysis. On the national front, universities and colleges are turning more frequently to fixed-term faculty to accomplish their institutional missions and to accommodate changing funding streams which may not provide permanent support for those in certain research and clinical fields. While fixed-term appointments may be warranted in certain instances, there is also a risk that fixed-term appointments could be employed in instances in which tenure-track appointments would be more appropriate or that traditionally disadvantaged populations could be relegated to the fixed-term track. In order to protect against these risks, the University needs to be aware of emerging patterns and consciously assess the circumstances in which fixed-term appointments are made, the implications for shared governance, and the means by which professional parity can be assured when fixed-term appointments are employed. The Committee concluded that it was not feasible to engage in such detailed analysis in spring 2006 because of the demands associated with SACS reaccreditation, but believes that it is

important to assess such developments closely, with the aid of the Office of Institutional Research and Assessment and the Provost's Office.

B. Additional Steps

The Committee discussed several additional steps needed to assure that the goals of Resolution 2003-7 are achieved. At the suggestion of the Agenda Committee, Resolution 2006-6 flags these items as ones on which the Faculty Council requests additional work by the Fixed Term Faculty Committee and the Office of the Provost in anticipation of future action during the 2006-07 academic year.

1. Policy Statement. Committee members reported questions from some administrators about whether principles incorporated in Resolution 2003-7 could be implemented absent a formal policy statement issued by the Provost. Information to date from current deans indicates that implementation is uneven, and it is likely that the practices of departments and divisions are the same. The Committee accordingly recommends the adoption of a formal policy statement by the Provost to be shared with deans, chairs, and division heads on a recurring basis to assure that the changing personnel in these positions are aware of the University's expectations about treatment of fixed-term faculty.

2. Information Dissemination to Fixed Term Faculty. Committee members also discussed fixed-term colleagues' questions about a number of important topics, including the rights of fixed-term faculty members to receive notice prior to the end of their contracts, the application of academic freedom principles, applicable salary policies, and eligibility for various sorts of university-wide professional development opportunities. Some of these issues are addressed in University documents, but not always in ways that explicitly reference the rights of fixed-term faculty. It would thus be very helpful for information about such topics to be brought together for easy access by fixed-term faculty, either by inclusion on the Provost's website or other means.

3. Review of EPA Personnel Guidelines and Other Documents. Resolution 2003-7 called for implementation of various principles relating to fixed-term faculty, but principles are not effective in and of themselves. The Provost's Office has developed detailed "EPA Personnel Guidelines" available at <http://www.unc.edu/provost/policies.html> which includes specific information on many aspects of faculty appointments and reviews. It would be advisable to review this and other key university-wide documents to assure that they address issues relevant to fixed-term faculty in accordance with recommendations included in Resolution 2003-7.

4. Best Practices. The Committee considered several sources of information that suggested the need for development and more wide-spread dissemination of "best practices" related to fixed-term faculty.

- Committee members have heard numerous questions and concerns about issues facing fixed-term faculty including: eligibility to serve on department

committees or dissertation reviews, mentoring, access to professional development opportunities, eligibility for promotions, application of salary policies, and professional recognition and support (availability of business cards, inclusion in departmental website listings, eligibility for parking permits, response to salary compression problems, and more).

- Issues affecting fixed-term faculty also surfaced as part of the Faculty Retention Study submitted to Faculty Council in October 2004
<http://www.unc.edu/faculty/faccoun/reports/R04Retention1.htm> . Fixed-term faculty reported greater concern with the fairness of salary-setting policies and lower levels of professional recognition compared to tenured and tenure-track colleagues.
- Preliminary reports from Deans suggest that at least some schools have not yet developed and implemented policies regarding circumstances in which fixed-term positions should be used; ranks, promotion sequences, and criteria for review of fixed-term faculty; and involvement in committees and academic governance; and eligibility for various types of professional development opportunities.

After reflecting on these matters, the Committee concluded that the best approach would be to identify, review, and disseminate “best practices” models within the University to encourage widespread adoption.

C. Continuing Role of Fixed-Term Faculty Committee

Before adopting Resolution 2005-9, the Faculty Council discussed alternative approaches to constituting a Fixed Term Faculty Committee, as well as how best to frame its charge and reporting responsibilities. The Committee believes that the current arrangements are working well and wishes to affirm the importance of maintaining a standing committee of Faculty Council to monitor and address related issues. The Committee also hopes that, to the extent possible, its membership be kept constant for the the coming year so that its momentum can be maintained.

Respectfully submitted,

Robert Cantwell, Department of American Studies, College of Arts & Sciences

Barbara Jo Foley, School of Nursing

David Gerber, School of Medicine

Suzanne Gullledge, School of Education

Cheryl Howell, School of Government

Judith Wegner, School of Law (ex officio as Faculty Chair)

Richard Weinberg, School of Medicine