



University Senate Annual Committee Report Academic Year 2014-15

Section I

Name of Committee: Committee on Academic Freedom and Tenure

Submitted by: Shirley Rose, Professor of English, College of Liberal Arts and Sciences

Date Submitted: April 20, 2015

Roster:

- [Shirley Rose](#) Chair, Tempe, English 2015
- [Cheree Carlson](#), Downtown, School of Letters and Sciences 2015
- [Rojann Alpers](#), Downtown, Nursing 2016
- [Kathleen Puckett](#), Vice-Chair, Polytechnic, Mary Lou Fulton Teachers College 2015
- [Robert Kleinsasser](#), Polytechnic, Mary Lou Fulton Teachers College 2017
- [Fabio Milner](#), Tempe, On Sabbatical fall 2014, Mathematical and Statistical Sciences, 2016
- [Michael F. Kelley](#), Tempe, Mary Lou Fulton Teachers College 2017
- [Robert St. Louis](#), Tempe, WP Carey School of Business 2017
- [Gloria Cuadraz](#), West, Humanities Arts & Culture 2015
- [Alejandra Elenes](#), West, Humanities Arts and Culture 2015
- [Suzanne Painter](#), West, Mary Lou Fulton Teachers College 2017

Overview:

During the past year, five grievance cases were assigned to the Committee on Academic Freedom and Tenure by the Grievance Clearinghouse Committee.

Section II

Grievance cases reviewed by the committee and outcomes:

1. Grievant claimed denial of tenure was due to being misled by inaccurate evaluations at all levels of review. Grievant claimed that had meaningful feedback been given, he would have applied for an extension of his tenure clock based on strong mitigating circumstances that had significantly reduced his productivity level. Grievance was withdrawn by grievant because extension of tenure clock was granted by the president.
2. Grievant claimed a series of abuses of governance procedures took place in the review of her tenure dossier, including incorrect instructions in the preparation of the tenure dossier for external reviewers, incorrect compilation of her teaching record, use of unapproved tenure and promotion criteria and

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bylaws, and inaccurate counting of years of productivity. Grievance hearing process was suspended due to grievant's resignation from employment at the university.

3. Grievant claimed that her tenure decision was based on a review of inappropriate materials. Grievant withdrew grievance prior to hearing. No reason given.
4. Grievant claimed that the review of his tenure application violated his unit's bylaws by failing to apply the standards set forth in those bylaws. Grievant further claimed that College-level review did not follow the University Provost's guidelines for personnel actions. After grievant's clarification of his arguments regarding the basis of his grievance during the pre-hearing, CAFT Vice-Chair ruled that the Grievant had identified no grievable issues to be heard.
5. Grievant claimed violations and misrepresentation of tenure policies and procedures, misconduct and systematic infringements on his academic freedom that contributed to an adverse working environment, alterations and misapplication of official documents, discrimination and abuse of power that contributed to an intimidating and hostile working environment. After clarification of grievant's arguments regarding the basis of his grievance during the pre-hearing, CAFT Vice-Chair ruled that the grievant had identified no grievable issues to be heard.

Section III

Grievance cases that were not started or remain unfinished.

None.

Section IV

Recommendations to the Senate or Final Comments

Committee Chair recommends that the clock for calculating maximum allowable time passing subsequent to the grievable procedural lapse be set to start at the point the grievant is permitted access to information that would demonstrate the lapse, not at the point that the procedural lapse actually happens. Given the confidential nature of the tenure review process, the grievant has no way of knowing that a procedure was violated until the whole process is completed.

Committee Chair recommends that the written materials presented to tenure and promotion candidates in orientation and information sessions sponsored by the provosts' office be treated as official procedural guidelines in CAFT review of grievances.

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