



ARIZONA STATE UNIVERSITY

M E M O R A N D U M

February 20, 2012

To: Joseph Carter
President, University Senate & Chair, University Academic Council

From: Elizabeth D. Capaldi
Executive Vice President and Provost 

Re: Senate Motion 2012-18

I have received the Senate Motion 2012-18 passed by the University Senate on January 23, 2012. Throughout our organization, different employee groups contribute in important and substantive ways to the achievement of ASU's mission. Whether they are classified staff, academic professionals, service professionals, tenured and tenure eligible faculty or non-tenure eligible faculty, all have a contribution to make. It is also true that each employee group does not have the same role or the same contribution to make. Such distinctions are rooted in the very history of higher education and the nature of our mission. Among our faculty members, only one group, those who are tenure eligible and those who are tenured, have the responsibility to advance the teaching, research and service missions of the university while others, including administrators, have more narrowly defined responsibilities. In keeping with this understanding, I have carefully reviewed Senate Motion 2012-18. I wish to make two comments with respect to the premise of the recommendations contained in the "whereas" statements and then respond to the specific recommendations.

With respect to the statements leading up to the specific recommendations, the senate motion asserts that full non-tenure track (technically referred to as non-tenure eligible) faculty have a right to view their position as a career. We certainly agree that the non-tenure eligible faculty may have the opportunity for an excellent career with the university within the context of the terms of their appointment.

The fifth "whereas" statement states that ABOR policy gives non-tenure eligible faculty the "right" to apply for multi-year appointments. This statement is not an accurate reflection of ABOR 6-201 which states that "Lecturers, senior lecturers and principal lecturers may be offered one year or multiple year appointments" and makes the same statement about professors of practice, clinical professors and research professors. This policy does not provide for any right to apply. It enables the university to offer such appointments as may be needed and in keeping with ABOR policy that sets the maximum number of non-tenure eligible faculty

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on multiple year appointments to a number not to exceed 15% of the total of tenured and tenure eligible faculty members.

With regard to the specific recommendations passed as part of Senate Motion 2012-18, the following is the recommendation followed by my response:

1. That ASU re-establish the system of multi-year contracts for NTT faculty, in keeping with the approved Senate Motion IV (February 23, 2009 Special Session).

Non-tenure eligible faculty remain eligible for multiyear appointments. Such appointments are, as mentioned above, limited to a number not to exceed 15% of our total complement of tenured and tenure eligible faculty as per ABOR policy, 6-201. At one point we exceeded the 15% threshold and are now below it at about 13%. Multi-year appointments are made to individuals based on the unit's and university's need. While we did ask Deans to limit the use of multiple year appointments during the depth of the economic recession for one year, we did not suspend them and indeed have continued to use them every year.

2. That ASU require each college and school to establish in their bylaws a clear path for review and promotion of NTT faculty, to include defined dates for contract renewals or terminations, in keeping with ACD 111-02.

We agree that units should have criteria for any non-tenure eligible faculty promotion with the exception of Instructors, Faculty Associates and Professors of Practice (none of those have promotion in the ranks). The three position classifications mentioned who do not have promotion opportunities due to the nature of the classifications, should have annual reviews and units should have criteria for that purpose for all non-tenure eligible as well as tenured and tenure eligible faculty members.

We do not have standard dates for non-renewals of appointments because sometimes circumstances beyond the control of the university or circumstances change requiring adjustments in our faculty complement within a short period of time. ABOR policy is quite clear that there is no expectation of continued employment beyond the end of the current appointment period. The university must maintain its flexibility to manage its human and financial resources to optimally meet the needs of student demand (which include declining demand in some subjects or where we are eliminating a program) and to address our financial limitations in the most effective way. As such, we do our best to notify faculty members as early as possible about renewal or non-renewal but we cannot set a date certain for that process.

3. That ASU reinstitute the use of rolling multi-year contracts for NTT faculty who qualify, in keeping with the approved Senate Motion IV (February 23, 2009 Special Session).

We have not eliminated the use of rolling multiyear appointments but do so on a limited basis, again based on the unit's and university's needs and within the limits established by ABOR.

4. That the University Senate request consultation with the ASU Administration to define, for purposes of the ACD Manual, the requirements, responsibilities, and promotional pathway (if any) for the position of Instructor.

Instructor is an annually appointed position that is not intended as a pathway to specific higher levels of appointment. Existing ACD policy describes the Instructor as one that "may include appointments to positions with teaching assignments and limited service and/or professional development responsibilities". This is consonant with other descriptions of non-tenure eligible faculty classifications in policy. Details as to what the specific qualifications would be for any instructor position would be determined by the hiring unit. Individuals seeking other positions such as a lecturer, clinical professor or tenure track professor will need to apply for those positions as they become available.

5. That the University and units provide full-time NTT faculty professional development opportunities to include travel, recognition, awards, paid professional leave, and emeritus status.

Professional development opportunities that require travel and conference attendance are now and have always been at the discretion of the chair/director and/or dean of each unit (as they are for tenured and tenure eligible faculty). Recognitions and awards within units are also up to them to determine any criteria for inclusion of non-tenure eligible faculty. Paid professional leave is not provided to non-tenure eligible faculty and at this time there are no plans to change that provision nor is emeritus status granted to non-tenure eligible faculty.

6. That units allow participation of full-time NTT faculty on governance decisions in matters that affect them.

This is a decision for each unit to consider.

The last two recommendations were specific to the senate and the establishment of a committee and review of this motion. It is not my position to comment on such internal senate matters.

In closing, I would note we are sustaining our use of multi-year and rolling multi-year appointments, that units should address issues of criteria for promotion for those ranks in which promotion is possible, that awards, professional development activities such as

conference attendance and such is at the discretion of the units (as it is for tenure eligible and tenured faculty), that engagement in governance decisions in units is addressed through unit bylaws, and that non-tenure eligible faculty may continue to have as they have in the past, long and successful careers at ASU. For some other matters, we are not prepared to change the policies but that is not a reflection of our lack of appreciation or valuing of faculty members in non-tenure eligible roles. It is simply a difference in the nature of their assignment and the needs of the university.