



What Boards Need to Know About Faculty

Canadian University Board Association Conference

April 29, 2016

~ Dr. Cathy A. Trower ~

The Wonderful World of Academe

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1. Leadership is shared between a board, a president (hired by the board), and a faculty senate or council. The board is ultimately accountable legally and from a fiduciary standpoint. [Steve Bahls will discuss shared governance.]
2. Historically, the faculty have played a primary role in deciding:
 - what is taught
 - who is taught
 - who teaches
3. Tenure still viable, but far fewer faculty are employed on the tenure-track. Tenure was adopted as a means to “certain ends” – protection of academic freedom and to attract able men and women to teach (American Association of University Professors).

*What Board
Members Need to
Know about Faculty
(2013).*

by Cathy A. Trower
and R. Barbara
Gitenstein,
Washington, DC:
AGB Press.

Major Changes Over Time

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First paradigm – “Multiversity” – post WWII through the 70s

- The “Modern” university: less insular; less remote; more pragmatic; more integrated and intertwined with the environment.
- Professionalization of the faculty: more expertise, greater status, more respect, more autonomy.
- The university had more influence in society and the faculty had more influence within the university.

Second paradigm – “Marketplace” – 1990s

- Pervasive adaptations largely due to market forces (commodification, commercialization, marketization).
- Reshaped institutional priorities; changed faculty work and careers.

Third paradigm – “Reconstitution” – since 2000

- Universities are under pressure on multiple fronts (financial, social, global, technological).
- Faculty are being more narrowly repurposed and rechanneled; their influence diminished.

Adapted from:
*The Faculty Factor:
Reassessing the
American Academy*
by Jack H. Schuster,
Martin J. Finkelstein,
and Valerie Martin
Conley (forthcoming
from JHU Press).

What's Happening Now?

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External

Rapid technological change
Market forces
Financial constraints
Global considerations

Campus Responses

Fewer tenure-track appointments
More specialized (unbundled) faculty roles
Re-stratification of faculty
Diminishing faculty influence
Demographic differences

Other Issues

Accountability and quality assurance
Faculty identity / home base

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Faculty and their roles are being “rearranged, redefined, redistributed, and repurposed.”

**Expectations
for tenured
and tenure-
track faculty
have
changed.**

Within the “Teaching” Category, Faculty Expected To...

Provide evidence of student learning

Know and demonstrate effective teaching practices

Translate interdisciplinary connections to students

Integrate technology into their teaching

Learn to teach in different modalities/flipped classrooms

Mentor (in addition to advise) students

Direct undergraduate research

Supervise internships

Connect students to community through service learning

Prepare students to work in multicultural & collaborative settings

Link teaching to global education and issues

**Expectations
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Within the “Research/Scholarship” Category, Faculty Expected To...

**Respond to increased expectations for scholarly
production and quality**

Seek and obtain more external funding

**Participate in increasingly interdisciplinary
projects and teams**

**Collaborate with international partners
on global issues**

**Expectations
for tenured
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Within the “Citizenship/Service” Category, Faculty Expected To...

**Demonstrate contributions to institutional
mission and initiatives**

Recruit new students

Help increase retention and graduation rates

Respond to increased reporting requirements

**Serve as active members of a larger set of
campus and community committees**

Participate in professional associations

What is Tenure?

A contractual right to ongoing employment; cannot be terminated without just cause.

A personnel policy that shields faculty from capricious firing and/or undue interference.

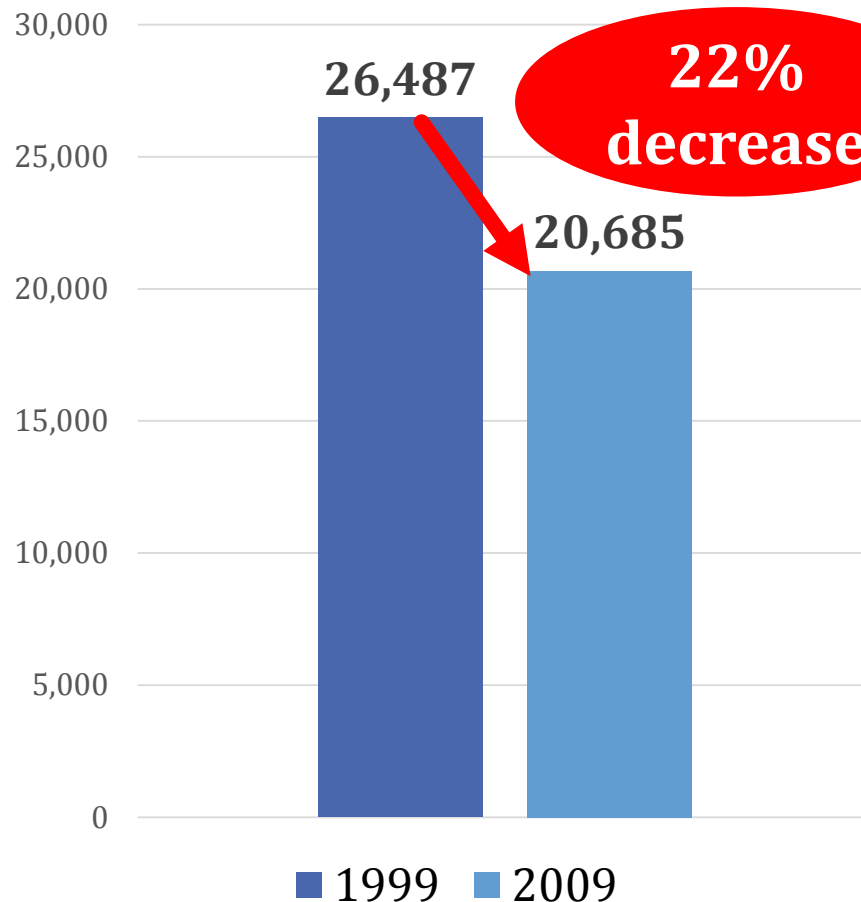
Earned after a 6-year probationary period (“up or out”) of demonstrated strong performance as a teacher, scholar, and campus citizen.

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Pros	Cons
Helps attract smart people	Impedes flexibility in allocating resources as things change
Safeguards academic freedom	Potentially discounts the work and voices of faculty without tenure
Helps ensure stability / retention	Makes it difficult to remove faculty who are past peak performance
Allows institutions to gauge performance over 6-7 years	Tenure-clock often collides with biological clock for women

Decline in Tenure and Tenure-Track Appointments

Tenured Professors



The Canadian Association of University Teachers (CAUT) reported that between 40 and 60 percent of undergraduate teaching is done by “seasonal lecturers.”

They are paid between \$5,000 and \$7,000 for a four-month course and “cobble together” a living, traveling between 2-3 universities in one term.

Whatever happened
to tenure?
Stephanie Findlay
Jan 17, 2001.

www.macleans.ca

In the U.S. and Canada, less than 30% of instructors are tenured or on the tenure-track.

(Ginsberg, *Tenure and Academic Freedom: The Beginning of the End*
Academic Matters, May 2012).

What is Academic Freedom?

- ▶ In 1990, the Supreme Court of Canada endorsed the importance of academic freedom as a democratic imperative, while also suggesting that its **actual scope is rather confined**.
- ▶ In *McKinney v. University of Guelph*, a case dealing with the mandatory retirement of university professors, Mr. Justice Gerard LaForest (himself a former law professor) wrote that: “Academic freedom and excellence is essential to our continuance as a lively democracy...[But] while I believe that the principle of academic freedom serves an absolutely vital role in the life of the university, I think **its focus is quite narrow. It protects only against the censorship of ideas.**”

Lynk, M. *What does academic freedom protect in Canada?*

Feb 28, 2014.

<http://lawofwork.ca/?p=7380>

Bold/emphasis added

What is Academic Freedom?

- ▶ In the *McKinney* decision, the Court ruled that **universities are not agencies of the state**, so the *Charter of Rights and Freedoms* and its constitutional guarantee of free expression do not apply to them. Some human rights codes protect “political opinion” as an anti-discriminatory ground, but this has rarely been invoked to defend dissenting academics. Litigation to enforce university rules in the courts, when a dissident academic has been fired or free speech on campus has been attacked, has traditionally been fought on procedural grounds, with no important legal precedents being set. **Canadian judges, unlike their American counterparts, have been reluctant to establish a grounded commitment to academic freedom in the law.**

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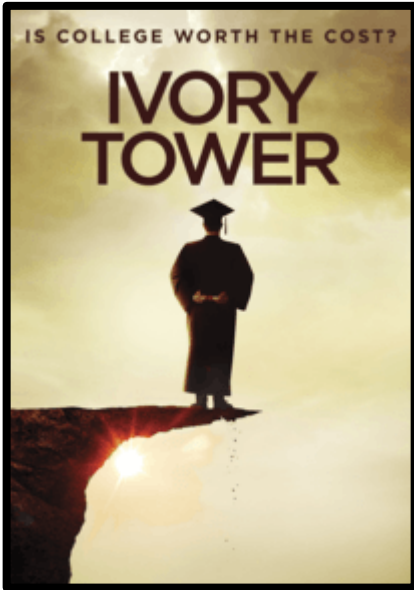
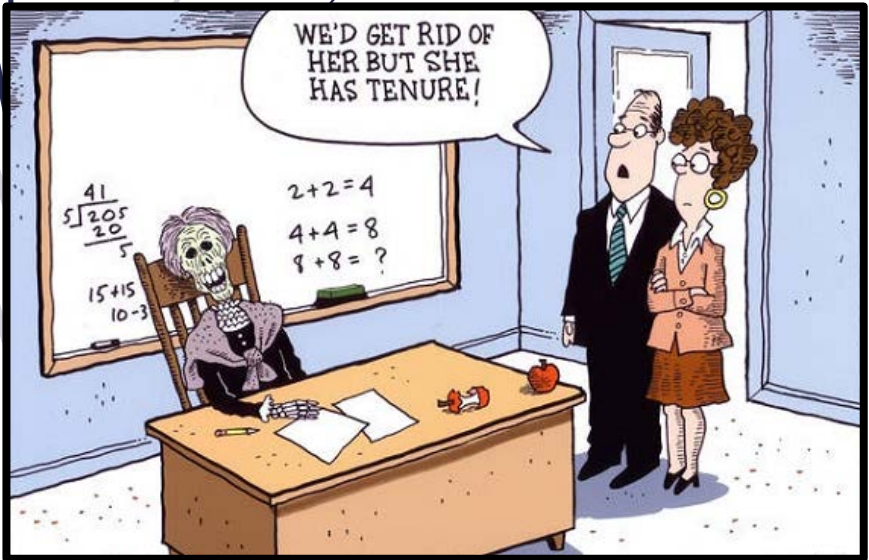
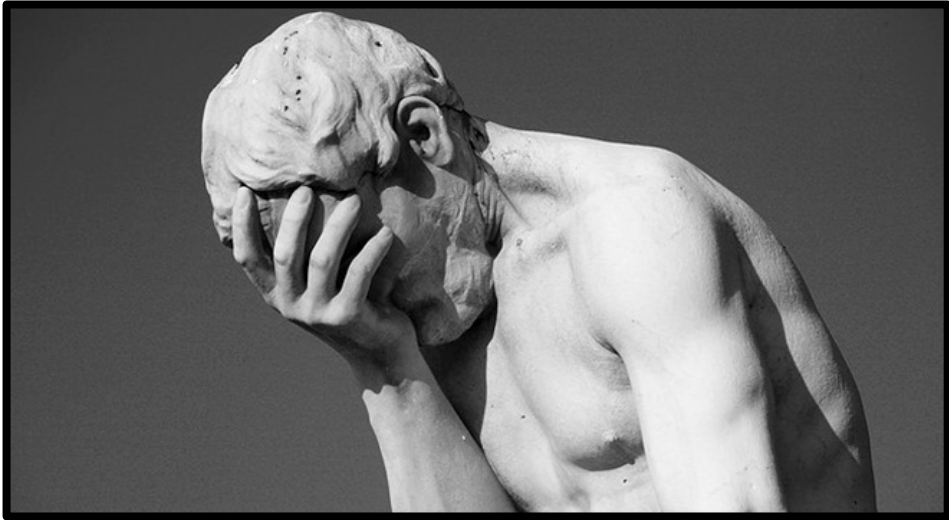
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What is Academic Freedom?

- ▶ **...the strongest legal protections for academic freedom in Canada are not constitutional or statutory, but contractual.** These protections are found in the collective agreements between universities and their unionized professors. (Most, but not all, university faculties in Canada are unionized.)
- ▶ **Virtually every university collective agreement in the country contains a robust provision on academic freedom.**
- ▶ **Academic Freedom is the right of reasonable exercise of civil liberties and responsibilities in an academic setting.** As such, it protects each member's freedom to disseminate her opinions both inside and outside the classroom, to protect her profession as teacher and scholar...to carry out such scholarly and teaching activities as she believes will contribute to and disseminate knowledge, and to express and disseminate the results of her scholarly activities in a reasonable manner...without interference from the employer, its agents, or any outside bodies.

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What Board Members Might Want to Know

- What are the expectations of tenured and tenure-track faculty in terms of teaching, research, and service? How do we prioritize these responsibilities? How do we recognize and reward them? Have expectations shifted over the recent past?
- How stable is our full-time faculty? Do we have significant, unwanted turnover? If so, why?
- What is the ratio of full-time to part-time faculty? Of the full-time faculty, what is the ratio of tenured, tenure-track, and term/non-tenure-track faculty?
 - What is the rationale?
 - What are the differences by school?
- What is the process for awarding tenure? What is the board's role with respect to tenure decisions?
- What is our policy on academic freedom? Have we had any challenges to academic freedom at our institution? If so, what lessons have we learned?
- What is the governing body for the faculty here? Who does it include? What role does it play on campus?
- If the faculty is unionized, what is the relationship between union leadership and faculty senate or assembly?

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