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A review of tenure policies in private higher education in the Commonwealth of Virginia, 1964 to 1974

Jack C. Van Newkirk
College of William & Mary - School of Education

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A REVIEW OF TENURE POLICIES IN PRIVATE
HIGHER EDUCATION IN THE COMMONWEALTH
OF VIRGINIA, 1964 TO 1974

A Dissertation
Presented to the
Faculty of the School of Education
College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree
Doctor of Education

by
Jack C. Van Newkirk

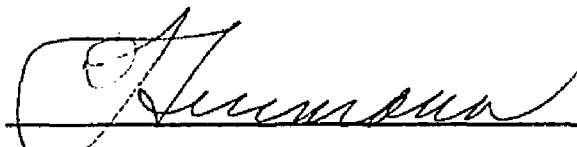
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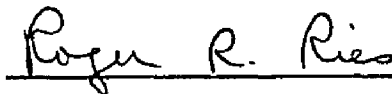
We the undersigned do certify that we have read this dissertation and that in our individual opinions it is acceptable in both scope and quality as a dissertation for the degree of Doctor of Education.



Daniel R. Gerber, Ph.D., Chairman



Donald J. Herrmann, Ph.D.



Roger R. Ries, Ph.D.

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A REVIEW OF TENURE POLICIES IN PRIVATE
HIGHER EDUCATION IN THE COMMONWEALTH
OF VIRGINIA, 1964 TO 1974

CHAPTER I

INTRODUCTION

In the past, tenure policies were often a significant, if not an essential, item in the selection of an institution for employment by a professor in higher education. In addition, tenure was so closely associated with the concept of academic freedom it was difficult to determine where the one began and the other ended.

"The question of academic freedom is broadly the question of the freedom of all teaching and learning, and has been present in all ages of history . . ." ¹ Brown stated:

The conviction that every college teacher must have the freedom to decide how and what he teaches and researches is so strongly imbedded in the professorial psyche that the right of independence of action is the primary determinant of job choice . . . Academic Freedom is a minimum requirement for all jobs.²

Hence, tenure was an outgrowth of a continually emphasized need of the professorial ranks, that being the freedom to teach, and presumably the freedom to teach the truth. Thus, the practice of awarding tenure to professors was defended as the only "earthly" insurance available to guarantee academic freedom.

¹ Julia E. Johnsen, comp., The Reference Shelf: Academic Freedom (New York: H. W. Wilson, 1925), p. 1.

² David G. Brown, The Mobile Professors (Washington, D. C.: American Council on Education, 1967), p. 163.

In the practical sense, tenure is translatable principally as a system of formal assurance that thereafter the individual's professional security and academic freedom will not be placed in question without the observation of full academic due process. . . .³

Since 1915, when the American Association of University Professors (AAUP) was founded, steady growth has been made in the academic arena in furthering the strength of academic freedom via the route of tenure.⁴ Tenure then, along with rank and promotion, has become more and more an acceptable, if not expected, part of the administrative process and reward systems within higher education. In 1915, Lovejoy stated:

Academic Freedom is the freedom of a teacher or researcher in higher institutions of learning to investigate and discuss the problems of his science and to express his conclusions, whether through publication or the instruction of students, without interference from political or ecclesiastical authority, or from the administrative officials of the institution in which he is employed, unless his methods are found by qualified bodies in his own profession to be clearly incompetent or contrary to professional ethics. . . .⁵

In 1940, the AAUP Statement of Principles on Academic Freedom and Tenure asserted that:

Tenure is a means to certain ends: specifically, 1. freedom of teaching and research and of extramural activities and 2. a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an

³William Van Alstyne, "Tenure: A Summary, Explanation, and Defense," AAUP [American Association of University Professors] Bulletin, LVII, No. 3 (1971), 328.

⁴Walter P. Metzger, et al., Dimensions of Academic Freedom (Urbana, Illinois: University of Illinois Press, 1969), pp. 3-6.

⁵Valerie Earle, ed., On Academic Freedom (Washington, D. C.: American Enterprises Institute, 1971), p. 1.

institution in fulfilling its obligations to its students and to society.⁶

And the following points were made in the revised AAUP Policy

Documents and Reports for 1971:

Academic Freedom requires that a professor should receive effective protection of his economic security through a tenure system which should provide at least the following safeguards:

1. a probationary period of stated length, the maximum conforming to a national standard,
2. a commitment by an institution of higher education to make a decision in advance of the end of the probationary period whether a permanent relationship will be entered into; collaterally, national standards of notice for such decisions,
3. appointment to a tenure post if a person is continued beyond the limit of the probationary period,
4. termination of a tenure appointment only because of age under an established retirement system, financial exigency, or adequate cause.⁷

In the last several years, academic freedom and more specifically, tenure, have come under serious attack from various segments of society. At least five State Legislatures have had bills before them to limit or at least reexamine tenure at state institutions.⁸ Many of the strongest critics are found within the institutions of higher education. Hook warned that:

. . . Under the slogans of "student rights" and "participatory democracy" the most militant groups of students are moving to weaken and ultimately destroy the academic freedom of those

⁶"1940 Statement on Academic Freedom and Tenure," AAUP Bulletin, LVI, No. 1 (1970), 26.

⁷AAUP Policy Documents and Reports (Washington, D. C.: American Association of University Professors, 1971), p. 3.

⁸Malcolm G. Scully, "Attacks on Tenure Mount: Limitations Are Proposed in 5 States," Chronicle of Higher Education, V, No. 24 (1971), p. 1.

who disagree with them.⁹

In pointing a finger at the professorial ranks, Commager stated:

What we are witnessing now is the most reckless attack upon academic freedom in our history. In the past, academic freedom has been threatened by the church, the state, and private interest groups. Now, for the first time it is threatened not from without but from within and that is perhaps more a betrayal than a threat.¹⁰

The American Association of State Colleges and Universities publicly stated: ". . . The Academic Community . . . must not tolerate sabotage . . . by its own members."¹¹

Within recent years, an increasing number of critics of the traditional practice of awarding tenure have suggested several modifications to the system. These modifications range from the complete abolition of local control and the establishment of national boards of review to negotiated performance contracts for each professor. It has been argued also that tenure policies at all institutions should be reevaluated based upon whether or not these policies are required if an institution is to achieve its goals and objectives. Carr cited Nisbet as stating:

They [professors] live by fee, royalty, salary, and wages, and I assume that there are varying degrees of security attached to income once a name for excellence has been acquired. But, they do not live by tenure . . . How then, do we legitimately rationalize a system of privilege which can, and frequently does today, exempt a person of thirty or thirty-five years of age . . .

⁹Sidney Hook, ed., In Defense of Academic Freedom (New York: Pegasus, 1971), p. 17.

¹⁰Ibid., p. 164.

¹¹"State College Association's Statement on Academic Freedom," Chronicle of Higher Education, VI, No. 8 (1971), 1.

for the rest of his life from the competitive pressure and insecurities to which the rest of the intellectual world is subject?¹²

Carr believed that the internal attacks upon tenure were a direct result of the economic conditions of the day since young people holding doctorate degrees experienced difficulty locating positions. In another point of view, Green attacked tenure and Academic Freedom as that which protected college professors from being exposed as frauds: ". . . for something they were never trained to do--teach."¹³

Trustees and administrators often challenged tenure from an economic point of view. Basic mathematics illustrated that one nontenured faculty position was equal to approximately one-half the cost of one tenured position in terms of salary and fringe benefits. Further, the nontenured position extended about seven years and the tenured position about thirty-five years. The administrator, therefore, was required to weigh the advantages and disadvantages of one tenured position against ten nontenured positions over a similar period of time.¹⁴

A review of the literature in the professional journals indicated that the attack on tenure and other areas of the reward

¹²Robert K. Carr, "The Uneasy Future of Academic Tenure," Educational Record, LIII, No. 2 (1972), 119.

¹³Robert Ford Greene, "Pedagogic Goldbricker," Educational Forum, XXXVI, No. 1 (1971), 111-13.

¹⁴Carol Herrnstadt Shulman, "The Tenure Debate," Research Currents, ERIC [Educational Resources Information Center] Clearing House on Higher Education, October 1, 1971, p. 3.

system associated with tenure would increase and continue.¹⁵ It seemed logical, therefore, to attempt to determine what policies have been and whether or not the attackers were necessitating or providing the opportunity for change. Further, it seemed reasonable to investigate private higher education since the private sector had the most to gain in experimenting with innovative practices--the anticipated gains being economic stabilization and efficient competition with the public sector.

Purpose of the Study

The purpose of this study was to describe the tenure policies at the private institutions of higher education in the Commonwealth of Virginia from 1964 to 1974. Changes in these policies were described and, if possible, the determination of relationships underlying such changes were to be examined.

A questionnaire, based on the form used by Walters, was constructed to provide information relative to:

1. the institution's official position on tenure and the official definition of tenure used at that institution,
2. the policies and procedures for the acquisition of tenure,
3. the policies and procedures for the termination of tenure,
4. the relationship of tenure at a specific institution

¹⁵ Scully, op. cit., p. 1.

with the concept of collective bargaining,

5. the relationship of tenure and staffing policies,

6. the financial condition of the institutions surveyed,

and

7. the individual opinion of the interviewee on tenure and its overall relationship to private higher education.¹⁶

The study was limited to all regionally accredited four-year private institutions of higher education in the Commonwealth of Virginia.¹⁷ The years surveyed were 1964 to 1974. Regional accreditation was required of the institutions as of September 1, 1973, for their inclusion in the study. The writer used regional accreditation as a base requirement because of its cloak of general academic acceptance and credibility.

The study population included twelve of the nineteen institutions of the total population. Of the other seven, six institutions elected not to participate in the study and one ceased to be in operation shortly after the study was under way.¹⁸

Methodology

The chief administrative officer of each institution was sent

¹⁶ J. C. Walters, "Academic Tenure in Indiana Higher Education" (unpublished Ph.D. dissertation, Indiana University, 1971), ch. V [University microfilms, Ann Arbor, Michigan].

¹⁷ National Center for Education Statistics, Education Directory 1972-73 (Washington, D. C.: National Center for Education Statistics, Department of Health, Education, and Welfare, December 1972).

¹⁸ See Appendix A.

a letter in which the objectives of the research were outlined and support for the study was requested.¹⁹ Those institutions responding positively were asked to indicate who would be responsible for that institution's role in the study. Interviews were then arranged with the designated personnel.

The personal interview was conducted with the Faculty Chairman of the Rank, Promotion, and Tenure Committee (or similar group) and the Academic Vice-President/Dean. At three of the institutions the Academic Vice-President/Dean held both positions. While some Presidents were interviewed, it was not part of the research design and hence their comments were not considered as part of the official data of the study. It must be stated, however, that said interviews did permit a more comprehensive view of the goals, objectives, and direction of those particular institutions.

The interview technique rather than a questionnaire was selected in that it was felt that verbal responses would permit the interviewee to answer questions more fully and thus eliminate the restrictions encountered with mailed questionnaires. Each of the respondents was asked identical questions in a predetermined order.²⁰ Prior to the campus visitation, the author had received a copy of the institution's current tenure policies. The institutional data sheet, which was included in the original letter of request, was either completed by the institution prior to the campus visit or left

¹⁹See Appendix B.

²⁰See Appendix C.

with the Vice-President or Dean and returned to the researcher at the institution's discretion.²¹ All interviews were recorded and in turn transcribed for a permanent record base.

From the outset of correspondence with, to the visitation and interviewing of, the individual participants were continually assured of the confidentiality of their responses. Hence, the opportunity for presenting positive, direct, and meaningful statements as compared to superfluous generalities was available.

The institutional data sheet was constructed so as to provide a picture of an institution's academic personnel over a ten-year period. The information sought for each year, 1964 to 1974, was:

1. the total number of teaching faculty, full-time and part-time;
2. the total number of teaching faculty with tenure, full-time and part-time;
3. the total number of teaching faculty at each rank and the number at the respective ranks with tenure;
4. the number of teaching faculty eligible for tenure;
5. the number of teaching faculty granted tenure;
6. the number of teaching faculty with tenure released;
7. the tuition charge at the institution;
8. the full-time equivalent enrollment of each institution; and
9. the percent of increase in institutional income and

²¹See Appendix D.

an indication as to whether or not a surplus or a deficit existed for each of the years.

Where appropriate, the institutions provided the researcher with policy statements, faculty handbooks, and position papers. These were used as factual data for verification of official policy change. The material and information gathered was scanned and reviewed to determine similarities, differences, innovations, trends, or patterns among the various institutions relative to the concept of tenure.

A review of the literature, both subjective and empirical, is presented in Chapter 2. The findings of this study are presented extensively in Chapters 3 and 4 with a summary, conclusions, and recommendations in Chapter 5.

CHAPTER II

A REVIEW OF RELATED LITERATURE AND RESEARCH

In this chapter, the various articles and books written on the subject of academic tenure and its relationship to higher education were surveyed. The chapter was divided into two basic sections. First, subjective literature, essays, books of selected readings, and articles from periodicals were reviewed which present the positions advocating the need for academic tenure, those positions challenging academic tenure, and the various concepts or suggestions for alternatives to academic tenure in higher education. Secondly, the published research projects relating to academic tenure were reviewed.

Subjective Literature on Academic Tenure

Literature supporting academic tenure

The most difficult concept to differentiate in discussing academic tenure is its relationship to academic freedom. The two are impossible to sever. One will find that Hook, Metzger, and Van Alstyne are convinced that there is no way that academic freedom can exist without academic tenure. Hence, they continually

consistently, and unequivocally support tenure. Van Alstyne has stated that:

. . . In a practical sense, tenure is translatable principally as a statement of formal assurance that thereafter the individual's professional security and academic freedom will not be placed in question without the observance of full academic due process.²²

Van Alstyne made it clear that faculty are not oblivious to the fact that tenure cannot shield them from declining enrollments or irresponsible actions of colleagues. He took the position that: "Tenure, then, neither buttons up the process of institutional change nor binds the ways which each institution must consider as it copes with authentic financial distress. . . ." ²³ In addition, Van Alstyne has, in his 1971 article, joined the ranks of a growing number of professionals who claim it is not a question of whether tenure should be granted, but rather it is a question of when it is granted and under what auspices and whether or not judicious evaluations were made prior to granting same.

Brown was adamant on the position of academic tenure. He felt strongly that without tenure, academic freedom would not have a chance to survive. He stated:

The greatest number of problems about academic freedom arise in the public institutions of conservative states and privately financed denominationally related schools where misguided outsiders, failing to understand the meaning and method of liberal education, regard sponsorship as a license to maintain the school as their private preserve for propaganda dissemination and

²²William Van Alstyne, "Tenure: A Summary, Explanation, and Defense," AAUP Bulletin, LVII, No. 3 (1971), 328.

²³Ibid., p. 329.

one-sided education. . . .²⁴

It is evident that the concern for the threats which can come from an outside base are all-encompassing and hinge entirely on whether an individual professor will be able to present his scholarly works in an unthreatened atmosphere. Academic tenure, then, assures academic freedom according to Brown.

Johnsen stressed that there are three purposes of a university:

1. to promote inquiry and advance the sum of human knowledge,
2. to provide general instruction to the students, and
3. to develop experts for various branches of the public service.²⁵

To accomplish these goals, Johnsen believed it is essential that academic freedom exist but that it be recognized that academic freedom and tenure are two different processes. While intertwined, academic freedom and tenure of office are two distinct questions and must be treated independently of each other. She believed that a college, while it is frequently forgotten, is first and foremost a teaching institution and secondly a research laboratory.²⁶ She added that the expertise of an individual faculty member must never be totally or

²⁴David G. Brown, The Mobile Professors (Washington, D. C.: American Council on Education, 1967), p. 166.

²⁵Julia E. Johnsen, comp., The Reference Shelf: Academic Freedom (New York: H. W. Wilson, 1925), p. 47.

²⁶Ibid., p. 83.

completely connected or associated with his particular political, religious, scientific, or social views, and therefore, the whole concept of tenure is independent of these personal beliefs.²⁷

Recognizing the frailty of man, tenure, then, was the process by which the civilized world could search for truth. While her statements were recorded in 1925, modern day defenders of tenure have drawn considerable support from Johnsen's work for the classical interpretation of academic freedom and tenure in the 1970s.

The concept of academic tenure has been merely the means, as supported by AAUP statements and policies, to institute and guarantee academic freedom. Therefore, it would seem logical that if alternatives were suggested, which would assure the latter, then the former would be irrelevant. However, if the proponents of academic freedom, who insist that there is no alternative for ensuring academic freedom except academic tenure, are proven to be wrong, much credence would be given to the criticism of those persons opposed to academic tenure.

In 1971, the State College Association modified its position on academic freedom and tenure and submitted the following:

The traditional protection afforded by tenure against unwarranted dismissal of teachers has its validity today as in the past. Tenure is not, nor should it be intended as, however, a shield for mediocrity, incompetence, or academic irresponsibility; and faculties at each institution should clearly and explicitly establish minimum levels of expected professional performance and responsibility and should enforce them impartially.²⁸

²⁷Ibid., p. 90.

²⁸"State College Association's Statement on Academic Freedom," Chronicle of Higher Education, VI, No. 8 (1971), 6.

Further, institutions have an obligation, with the assistance of faculty involvement, to establish clear and precise statements on conditions of employment, due process for individual members of the faculty, the granting of tenure, and the termination of tenure.

"Academic tenure is not prerequisite to academic freedom, for academic freedom is the right of all members of the academic community as is responsibility the obligation of all. . . ." ²⁹ One will note a strong emphasis that each and every member of the faculty, regardless of his station or position, is entitled to academic freedom. Hence, tenure is a distinguishable item. In addition, it is argued that:

Tenure . . . is a means of making the teaching profession attractive to persons of ability and constitutes one important protection for academic freedom. It thus contributes to the success of an institution on fulfilling its obligations to its students and to society. ³⁰

While it is evident that the State College Association parted ways with the AAUP in many respects, it did not, however, sever or eliminate completely the concept of tenure from institutions of higher education.

Literature challenging academic tenure

Taking the other side of the argument are those individuals who feel that tenure is nothing more than a shield or cover for incompetence and is in itself a sinecure. When one considers the attacks on tenure, those which come from the academic community itself

²⁹ Ibid.

³⁰ Ibid.

cannot be ignored or taken lightly. While it is easy to consider attacks from legislators or from administrators as being unfounded, ill-conceived, and without a knowledgeable base, what response can an academic professor have when his own colleagues speak out and chastise the tenure concept and demand its elimination.

Tenure is not taken lightly by those who do not have it, and tenure is guarded jealously by those who have attained it. Woodring stated that administrative positions, including the position of President, can in many institutions be low on the pecking order of academia as compared with a long-time, tenured full professor.³¹ He added that academic people compete for prestige and importance rather than wealth and power. Of course, there are others who challenge Woodring and indicate that once one attains the prestige and importance of being a tenured professor, one frequently acquires the excessive power that accompanies it. In the same light, Eble stated that in the current faculty evaluation process, only those of higher rank can make decisions on the individuals with lower rank. The result is an exclusive club at the top which consists predominantly of tenured professors.³² In further support of this argument, Johnson struck out against class citizenship on the college campus indicating that a genuine university, whose goals are to meet society's needs and to generate an educated graduate, needs a faculty

³¹Paul Woodring, "A Machiavellian View of the Academic Life," Saturday Review, III, No. 51 (1970), 60.

³²Kenneth E. Eble, The Recognition and Evaluation of Teaching (Salt Lake City, Utah: Project to Improve College Teaching, 1970), p. 44.

mix on campus that cannot tolerate or accept a second- or third-class citizen. He classified tenure as being one of those characteristics which helps to maintain class differentiation.³³ Further evidence of tenured faculty power and influence was borne out in the findings of Caplow and McGee in The Academic Marketplace. They found:

According to some of [their] respondents, political activity of any kind by any faculty member is viewed unfavorably and so likely to bar or delay his advancement. Even when this is not the policy of the institution, it is likely to be construed as such by the junior faculty, with the result that there is extraordinarily little participation in politics by the rising young men of the current academic generation.³⁴

Acknowledging that power does rest with tenured professors when it comes to determining who will enter their exclusive club, Miller pointed out that one cannot ignore or take lightly the concept of tenure.

. . . Tenure, if held for 25 years, represents a monetary investment in excess of \$600,000 and an institutional commitment to the competencies and personality that the individual brings to the institution.³⁵

Hence, he believed such an investment required the input of more than the evaluation of faculty members by faculty members. Administrators must attempt to determine other areas of evaluation which can be added. Miller quoted Hildebrand who stated: "Ironically, in making promotion and tenure decisions--those that have the greatest impact

³³Jack T. Johnson, "The Restoration Faculty Ranks," Educational Record, LII, No. 3 (1971), 251.

³⁴Theodore Caplow and Reece J. McGee, The Academic Marketplace (New York: Basic Books, Inc., 1958), p. 227.

³⁵Richard I. Miller, Evaluating Faculty Performance (Washington, D. C.: Jossey-Bass Inc., Publishers, 1972), p. 78.

upon the future of the institution--the tendency is to use 'Seat of the pants' criteria. . . ."36

Supporting Miller's position was J. P. Miller who lashed out against tenure as an archaic and obsolete base of operation. He believed that while tenure provides continuity and stability to various faculties, the institution runs a great risk in hindering the ability to adapt to change or to be flexible. He further believed that those who acquire job security through the granting of tenure actually do so by accepting lower salaries. Most nontenured faculty serve about seven years, while tenured faculty serve about thirty-five years. Hence, J. P. Miller concluded that the strategy of the institution which employs the various faculty members should be concerned, not with what the individual has done prior to employment at an institution, as much as with what can be expected of him after he arrives. There is no equivocation in his argument, for he believed that tenured ranks often become an accumulation of dead-wood and are significant brakes to forward motion.³⁷

Supporting J. P. Miller, Tonsor denounced tenure as being a mask for mediocrity and timidity. He went on to state that faculty have exceeded their authority within the realm of decision-making and tenure determination. He believed: ". . . The only determination rights which . . . faculty possess are those by which [they] maintain

³⁶Ibid., p. 80.

³⁷John Perry Miller, "Tenure: Bulwark of Academic Freedom and Brakes on Change," Educational Record, LI, No. 3 (1970), 245.

the process of reasoned inquiry."³⁸ Carr challenged tenure by quoting Nisbet as follows:

"They [professors] live by fee, royalty, salary, and wages; and I assume that there are varying degrees of security attached to income once a name for excellence has been acquired. But they do not live by tenure . . . how then do we legitimately rationalize a system of privilege which can and frequently does today except a person of thirty or thirty-five years of age . . . for the rest of his life from the competitive pressures and insecurities to which the rest of the intellectual world is subject?"³⁹

Dressel stated that challenges to tenure are on the increase because of the inability to understand its function. He noted that legislators are constantly and repeatedly told that program cutbacks and budget reductions are impossible because of tenured faculty. This does not create goodwill, particularly when the concept of tenure was granted with the understanding that financial exigencies would be a basic reason acceptable to the AAUP for a reduction of program. He also cited the President's Commission on Campus Unrest position that a means of improving teaching in higher education is to reconsider the practice of tenure and to reevaluate its importance to the higher education scene. In a similar position, the American Council on Education's Special Committee on Campus Tensions reported that a reevaluation of tenure was necessary as it has often been a protector of indifference and neglect of scholarly duties. Dressel quoted Bailey from a 1969 study:

³⁸ Stephen J. Tonsor, "The Mess in Higher Education," Vital Speeches, XXXVI, No. 8 (1970), 253.

³⁹ Robert K. Carr, "The Uneasy Future of Academic Tenure," Educational Record, LIII, No. 2 (1972), 119.

By and large, higher education has been slow to innovate, slow to discard the obsolete. By and large, it is woefully sloppy on matters of rudimentary management. All too many faculties are "dog-in-the-mangerish" about academic house-keeping. The consequence is utilized and unutilized facilities that would have bankrupted profit oriented institutions decades ago. Our personnel systems tend to be shoddy. We resist systematic evaluation by peers, students, alumni, or administrators and thereby are thrown into a jungle of unsympathetic evaluations by the very same groups. The red herring of academic freedom is drawn across the path of sympathetic evaluation of performance. Basically, the motivation is not defense of academic freedom at all but fear of the insecure that their shortcomings might be verified or their sloth exposed.⁴⁰

Dressel went on to indicate that the split between nontenured and tenured teaching faculty was so strong at the City University of New York that each established its own bargaining unit. He predicted that if the attacks on tenure continued to grow, faculty would inevitably seek new ways or organizations with which to ensure academic freedom and personal security. Dressel stated on a conservative note, however, that: ". . . Job security is not identical with tenure and should be separated from collective bargaining discussions."⁴¹ In their study, Dressel and Fariey determined that in the selection of organizations to represent the various faculty groups, there tends to be a confrontation between the haves and the have-nots. The haves, of course, are those with tenure and positions of high salary. Dressel found that the have-nots tend to look to a more definitive and stronger bargaining union. A final note from Dressel:

⁴⁰Paul L. Dressel and William H. Fariey, Return to Responsibility (Washington, D. C.: Jossey-Bass Inc., Publishers, 1972), p. 10.

⁴¹Ibid., p. 95.

Tenure can re-enforce faculty irresponsibility because it permits the faculty to ignore criticism while pursuing whatever gives them the most satisfaction. Whatever the eulogies written about it, tenure implies an emphasis on job security. In a sense, acquiescence to the combined demands for academic freedom and tenure makes the academic gown a magic cloak which can transform some mice into lions. Professors can make statements irrelevant to their expertise with no worry about reprimand or reprisal. Faculties have exhibited little responsibility in disciplining erring colleagues. Some individuals faced with non-reappointment or non-promotion have deliberately engaged in irresponsible behavior in full expectation that an appeal to the court of academic freedom will arouse colleagues and secure tenure or promotion. Academia has too often been a haven for the opinionated, the eccentric, and the disruptive.⁴²

In 1973, Park attacked tenure with vigor. He made it understood that his position was that tenure failed to provide anything like academic freedom for those who did not have it. He further stated that tenure was a formidable obstacle to educational change. He said that tenure quotas and tenure itself forced a high number of qualified, committed, and capable young faculty members to be fired or, as is often stated in higher education, nonreappointed because there was no room. He believed whether or not we wished to accept it that it was a fact:

. . . that the academy remains an animal farm where "some animals are more equal than others." Tenure is a mechanism which grants equality to those who have it and denies equality to those who don't. . . . [and] when we examine who has tenure and who doesn't, we can see who is likely to get it--and that doesn't include native Americans, people with Spanish surnames, blacks, women, and people under 30.⁴³

Supporting Park, Chait and Ford, of Stockton State College in

⁴²Ibid., p. 192.

⁴³Dabney Park, Jr., "Tenure Shock," Chronicle of Higher Education, VII, No. 35 (1973), 16.

New Jersey, have emphasized:

Tenure does, to a significant degree, freeze the status quo and thereby limit opportunities for employment. Likewise, tenure locks minority group members and women into junior, non-permanent positions, and thereby limits opportunities for advancement.⁴⁴

Hence, while it has been understood that faculty must meet certain eligibility requirements and must demonstrate certain performance levels and have potential for growth and development to receive tenure, colleges and universities granting tenure will, in the future, be required to demonstrate what criteria were used. For example, the answer to the question: "Is a terminal degree really required to hold a given job or a particular rank?" may well have to be defended. Chait and Ford compared tenure with other significant occurrences in the changing social scene. They stated that while the academy and its members debated where tenure was, where it was going, and what it should have been doing, said debate was heading to an end in the courts. They pointed out that courts were not adverse to demonstrating their ability to turn tables on a status quo or socially limiting practice. Their position was that if the courts did not object to attacking segregation in education, they surely would not object to attacking tenure.

Another, and one of the most stinging, critic of the tenure concept was Silber, President of Boston University. He believed that academic freedom could exist without tenure as long as there were

⁴⁴Richard Chait and Andrew Ford, "Can a College Have Tenure . . . and Affirmative Action Too?" Chronicle of Higher Education, VIII, No. 2 (1973), 16.

specific procedures and criteria guaranteeing academic freedom to all--the instructor as well as the professor.⁴⁵ While Van Alstyne, Chairman of the University of Utah Commission to Examine Tenure, stated in Scully:

. . . As I see it, the basic problem is to determine whether tenure adequately protects academic freedom without protecting incompetency. If it doesn't then we ought to investigate alternative ways to achieve this goal.⁴⁶

Silber in Scully presented the point of view that the effort to create or establish an alternative should not even be expended. Silber stated:

. . . that tenure does grant sinecures to incompetents. [He added,] I think the granting of a sinecure is clearly a device of the devil to let the sloth into the world again . . . We should probably do something to discourage sloth as a part of the academic character.⁴⁷

Rejai and Stupak made it clear that they believed that much of the attack on academic freedom, institutions of higher education, and academic tenure was the direct result of the inability of the institutions and the respective faculties to control their own destinies. They pointed out that many attacks came from within where faculty members themselves began to curtail the academic freedom of other faculty members. Further, Rejai and Stupak believed that academia was in a crisis stage and that the public had lost confidence in its

⁴⁵Malcolm G. Scully, "Attacks on Tenure Mount: Limitations Are Proposed in 5 States," Chronicle of Higher Education, V, No. 24, 4.

⁴⁶Ibid., p. 1.

⁴⁷Ibid., p. 4.

being. They stated, however, that: ". . . the Chinese emphasize, [crisis] entails both danger and opportunity."⁴⁸ More dramatically, they emphasized that:

Surely, if we as academics do not set out to re-define our own profession in a changing technological environment, it is certain that our profession will be re-defined for us by those in positions of technocratic power and influence--people who will see to it that we fit into the overall design of an increasingly inter-dependent society.⁴⁹

Literature suggesting alternatives to, or modifications of, tenure

". . . As professors attain a greater mobility and independence, the concept of tenure will probably lose some of its practical force."⁵⁰ Such was the position of Freedman in 1963. Obviously, he had no way of knowing what kinds of student activism, national stress, and economic downturns would be in the future of higher education. It seemed that his prediction was correct until a national economic downturn began to be experienced, specifically, fewer numbers of students available beginning in 1970. Hence, tenure has become more important--one of the most discussed topics in higher education on any United States campus, with the theme of all tenure debates centered around: "if so, why; if not, what?" This section of

⁴⁸Paul Rejai and Ronald Stupak, "The Kiss of Death for Faculty Power," Chronicle of Higher Education, VII, No. 3 (1972), 8.

⁴⁹Ibid.

⁵⁰Morris Freedman, Chaos in our Colleges (New York: David McKay Co., 1963), p. 233.

Chapter II contains the various alternatives offered to replace the tenure concept.

If any significant thought or major concern has reared its head during the tenure debate, it has been the concern expressed by members of the profession that so many people have been given tenure so quickly and, evidently, without any serious evaluation of their performance, their expectations, or their competencies in general. Soules and Buhl argued that a rational system of tenure is necessary and possible. Each institution must define its purpose, must understand its peculiar history, and then determine the system of reward that best fits its mission in higher education. The authors stated that: "Many promotion and tenure systems suffer from failure to negotiate expectations when the instructor is first hired. . . ." ⁵¹ Said expectations are those of the institution toward the professional as well as the reverse. Soules and Buhl suggested that when persons are hired they should understand the full requirements for promotion and tenure and that the requirements be classified into four areas. The requirement classifications are:

1. evidence which is expected to be used for tenure review,
2. a list of the professional activities relevant to the individual's promotion,
3. the criteria of excellence to be applied (it is

⁵¹ Jack A. Soules and Lance C. Buhl, "Reviving Promotion and Tenure: A Systematic Approach," Educational Record, LIII, No. 1 (1972), 75.

stressed that these must be comparative standards based on professional reputation), and

4. the procedures the institution will use for making a decision.

They further stressed that the decisions of the institution must be practical and explicit with as little room for doubt as possible. The requirements, if clearly understood, according to Soules and Buhl, and if properly implemented, would eliminate a large number of people in the questionable category from being granted tenure.

Jackson and Wilson, in support of Soules and Buhl, have called for a policing of the professional ranks by professionals, and the implementation of a new plan for the granting of tenure. They suggested

1. initial appointments to remain much the same as they were;
2. appointment to professor for a term of five years;
3. an elaborate contractual agreement covering all levels of employment which would carefully define the duties and responsibilities of the employee, the means for judging the employee's performance, and the rights to freedom of expression and advocacy guaranteed to the employee by the institution (this, according to the authors, would place: ". . . the burden of proof of breach of

contract . . . with the institution"⁵²); and

4. the contracts would

a) set teaching hours,

b) set the number of courses per semester to be taught,

c) set the number of preparations to be expected of the employee, and

d) set the number of advisees to be assigned to the employee.

Jackson and Wilson believed institutions had an obligation to reappoint all faculty members unless they were able to show cause why the reverse would be in order. They further stressed that higher education institutions and associations must work with the state, federal, and Teachers Insurance and Annuity Association--College Retirement Equities Fund retirement systems to develop an early retirement program which would provide greater flexibility in employment as well as greater opportunity for new scholars.

Hildebrand also supported Soules and Buhl, but added that the faculties of various institutions must insist on stopping the erosion of academic authority and dignity by reclaiming their right to impose stringent classifications for evaluation of faculty for promotion into the ranks of the tenured. He strongly encouraged consideration and wise use of student evaluations, students being the individuals

⁵²Frederick H. Jackson and Robin S. Wilson, "Toward a New System of Academic Tenure," Educational Record, LII, No. 4 (1971), 338.

with whom the faculty member has had the greatest contact.⁵³

Hilgert recommended a blend of teaching and research for consideration for promotion and tenure. He acknowledged, however, there was continued discussion in academic circles as to how one measures efficient teaching, and it has been easier for promotion and tenure committees to rely on visible methods of research such as publications, speaking engagements, white papers, and similar articles.⁵⁴ Smith has stressed that merely to keep abreast of current developments requires that a faculty member somewhat abandon his students. He stated the insistence of some institutions that faculty do research and publish extensively has caused even greater neglect to the student body. Therefore, Smith suggested that faculty members be considered for promotion and tenure on their decision not to publish. He stated:

Perhaps eventually a policy will evolve requiring that evidence of each publication be accompanied by evidence of at least one decision not to publish. If a faculty member insists on publication and ignores such a policy, he would be declared ineligible for promotion and tenure.⁵⁵

Moog, a professor of biology at Washington University in St. Louis, Missouri, and an outspoken critic of tenure, has stated

⁵³Milton Hildebrand, "How to Recommend Promotion for a Mediocre Teacher without Actually Lying," Journal of Higher Education, XLIII, No. 1 (1972), 47.

⁵⁴Raymond L. Hilgert, "Teacher or Researcher," Educational Forum, XXVIII, No. 4 (1964), 465.

⁵⁵Vernon H. Smith, "A Modest Proposal for Improving Promotion and Tenure Procedures," Phi Delta Kappan, LII, No. 4 (1970), 256.

that she feels it is a significant factor that has been working to keep: ". . . the faculties of colleges and universities in this country overwhelmingly white, and male--and altogether complacent about the situation."⁵⁶ Moog has asserted that the distinction between tenured and nontenured faculties is abominable and should be extinct. She has recommended that the present probationary period approved by the AAUP be replaced by a series of short contracts. Probationary periods should be in the realm of three years, followed by longer contracts, perhaps in seven-year lengths. Each seven-year contract would include a sabbatical year: ". . . which in case of non-renewal might facilitate the search or preparation for new employment."⁵⁷ It has been Moog's contention that renewable contracts, while lessening security for the faculty member, would require a taking up of some of the "slack" usually experienced. She added:

It would be important to establish that the renewal of a 7-year contract would be earned by satisfactory service, not merely given as is true of the granting of tenure today, for reasons that are neither defined nor definable. . . .⁵⁸

Hence, it is evident that she has joined forces with Soules and Buhl in their cry for definitive measures in the granting of academic tenure.

Vaccaro has suggested three countermeasures to the present policy of tenure. The first was a "contract for service" such as was

⁵⁶Florence Moog, "The Alternative to Tenure," Chronicle of Higher Education, VI, No. 27 (1972), 8.

⁵⁷Ibid.

⁵⁸Ibid.

used at Hampshire College in Massachusetts. The faculty member, when hired, developed a contract with the college based on his projected goals and achievements and the expectations of the institution (one will note the similarity of Soules and Buhl's "expectations" concept). Obviously, if the faculty member failed to live up to the contract, he would not be reinstated or rehired. The second was the elimination of tenure and in its place the use of collective bargaining. Third, instead of the current all-inclusive tenure for life, which Vaccaro pointed out generally spans twenty or more years, the initiation of periodic evaluations and reviews was introduced. Negative reports or outcomes would allow the dismissal of the faculty member. Vaccaro recommended that the first be at the end of three years, reappointment for another eight years, and then reappointment for another fifteen years.⁵⁹

In response to Vaccaro's second alternative, J. D. Millet, Director of the Management Division of the Academy for Educational Development, argued that the concept of academic tenure and the goals of unions are incompatible. P. Reinard, President of St. Louis University, St. Louis, Missouri, was of the same mind and felt that tenure involved with collective bargaining would be nothing more than a shift from the high professional standards fostered for years by the American Association of University Professors to the union principle setting least common denominator standards and would

⁵⁹Louis C. Vaccaro, "The Tenure Controversy: Some Possible Alternatives," Journal of Higher Education, XLIII, No. 1 (1972), 35.

inevitably mean poorer education.⁶⁰ Needless to say, I. Kruger of City University of New York and President of the New York Local of the United Federation of College Teachers, was in total disagreement with Millet and Reinard and stated it was only a matter of time until all of higher education, including the concept of tenure, was bound in collective bargaining.⁶¹

It is appropriate at this point to indicate that in 1971, Cornell University embarked on a reevaluation of its tenure policies. So as not to become "tenured in," Cornell felt it was necessary that it adopt a policy that:

. . . only the most able assistant professors be reappointed after three years; and except for truly outstanding individuals, the final decision to grant tenure should be delayed until the beginning of the sixth year.⁶²

In addition, reappointments after the age of sixty-eight would only be for positions supported by grant funds. All other such appointments should be discouraged. Cornell University adopted the position that tenure would not be granted earlier than necessary.

Saltzman has supported a point of view similar to Cornell University's when he proposed a review board for the consideration of tenure which he entitled, "The National Tenured Professor Accreditation Board." Saltzman insisted the main failure of tenure

⁶⁰"College Teachers Joining Unions," Daily Press [Newport News, Virginia], Nov. 19, 1972, sec. F, p. 6.

⁶¹Ibid.

⁶²"Faculty Appointments, Promotions, and Extensions of Appointments beyond Age 65," Educational Record, LII, No. 3 (1971), 248.

was the inability of the supervisors of tenured faculty, namely deans and department chairmen, to properly police the ranks and to make the appropriate recommendations. He claimed that this group was: ". . . either unwilling or incapable of properly supervising, evaluating, and disciplining the tenured faculty."⁶³ The board Saltzman proposed would be parallel to the Regional Accreditation Association's and would have as its primary responsibility the formulation of objective, balanced, and reasonable standards and criteria to be used for evaluating the performance of each tenured faculty member. It would recommend necessary improvements in performance and would advise on the faculty member's continuance at, or separation from, the institution where employed. At this point in time, Saltzman was only willing to give this board recommendation authority, thereby leaving the institution with internal controls. It should be stressed that when a visiting team would come to the campus at approximately five-year intervals, one of their goals would be to bring a third-party approach to the evaluation of faculty members. The evaluation team would review dossiers of the various faculty members under consideration and would place each of them in one of five categories:

1. the faculty member surpasses all criteria,
2. the faculty member meets all criteria satisfactorily,
3. the faculty member meets most criteria--has need of

⁶³Henry Saltzman, "Proposing a National Board to Accredite Tenured Professors," Chronicle of Higher Education, VI, No. 7 (1971), 8.

improvement in one or two specific areas and is recommended for tenure,

4. the faculty member meets most criteria and tenure is recommended for two years at which time there will be a reevaluation, and

5. the faculty member fails to meet most criteria and the discontinuation of tenure is recommended.

The National Tenured Professor Accreditation Board would have financial support from institutional memberships, and it would be concerned with tenured faculty only.

Member schools would continue to set their own standards for providing tenure. The Board would embody a voluntary system of self-discipline, self-development, and individual accountability that would enhance the likelihood of better education for students.⁶⁴

Saltzman believed his Board was not anti-intellectual and that a teacher was not beyond professional standards of accountability. Saltzman stated: ". . . tenure, like a good reputation, must be earned over and over again."⁶⁵

Another major alternative to the tenure concept was the use of quotas within departments, within colleges, within universities, for tenured positions. Basically, this was the establishment by the institution of a given percentage of positions within any department that could not be exceeded by faculty members holding tenure. Institutions adopting the quota concept interpreted same as a positive

⁶⁴Ibid.

⁶⁵Ibid.

approach in that it allowed them the freedom they desired in continually searching out bright, new talent, available annually from the various graduate schools. Supporters of quota schedules endorsed them as being a way to avoid being "tenured in." They hastened to point out: "The Carnegie Commission on Higher Education estimates that if present patterns remain constant, an astonishing 90% of all U.S. professors will have tenure by 1990. . . ." ⁶⁶

Not surprisingly, the American Association of University Professors has taken every opportunity to express its opposition to tenure quotas. The AAUP has stated that tenure quotas are: ". . . an expedient, dangerous to academic freedom and academic life . . ." ⁶⁷ The AAUP further asserted that quotas would have, as a result:

. . . a settled and relatively secure faculty numbering slightly more than half the profession and a gypsy-like tribe of permanently non-tenured faculty moving from place to place waiting for a senior colleague to retire or die or enter full-time administration. ⁶⁸

Jacobson supported the tenure concept but believed that faculty personnel policies should be described fully and formally so that tenure decisions rested on explicit judgments and not: ". . . the passage of time." ⁶⁹ He contended that tenure quotas should have

⁶⁶"Tenure in Trouble," Newsweek, June 10, 1974, p. 75.

⁶⁷Phillip W. Semas, "Tenure Quotas Draw Heavy Fire from Professors' Association," Chronicle of Higher Education, VII, No. 31 (1973), 7.

⁶⁸Ibid.

⁶⁹Robert L. Jacobson, "Retain Tenure but Ration It, Panel Advises," Chronicle of Higher Education, VII, No. 16 (1973), 1.

ranges or limits as compared to fixed percentages. One might even say that he supported the pronounced position of Albert Shanker of the American Federation of Teachers in that if there is a shadow of doubt regarding tenure, the teacher or professor should be released from his position. It was Jacobson's belief that unless the institutions themselves were willing to demand more stringent qualifications for the granting of tenure, they would find themselves in more serious difficulties than represented by the then current state of affairs.

In the spring of 1973, Bloomfield College in New Jersey abolished tenure and gave one-year notices to thirteen of the seventy-two faculty members. The college then replaced tenure with faculty contracts:

Under a new system of open learning contracts, each faculty member "will plan with the college a contract that will be a commitment to give and receive learning resources within the academic community" .⁷⁰ . The contract also will provide for a system of evaluation.

President Allshouse of Bloomfield College contended that the new contracts provided for due process, reasonable job security, established academic freedom without tenure for all members and thereby eliminated class distinctions. (Again, note the similarity to Soules and Buhl's suggested "expectations" approach to evaluation.) Allshouse took the position that contracts with the college on the part of faculty members were a more rational approach to meeting ever-changing needs

⁷⁰Phillip W. Semas, "College Ends Faculty Tenure, Dismisses 13," Chronicle of Higher Education, VII, No. 37 (1973), 1.

and prerequisites of an ever-changing student body. President Allshouse insisted that institutions must have greater flexibility to meet the challenges of a contemporary economic and social scene.

To accomplish . . . restructuring, Mr. Allshouse said, requires changes in the faculty that cannot always be made in accordance with academic freedom and tenure as defined by the AAUP. "The future interests of private higher education and Bloomfield College may not always be consistent with the institutional needs of the AAUP," he added.⁷¹

Whether or not Allshouse would be able to continue his redesign of academic administration was uncertain, for in the summer of 1974, a New Jersey judge had ruled against Bloomfield College and issued an order demanding the reinstatement of all faculty who had been released. Judge Antell ruled: ". . . that the college administrations and trustees' 'primary objective was the abolition of tenure at Bloomfield College, not the alleviation of financial stringencies.'" ⁷² Judge Antell went on to say that:

. . . Academic tenure "is not merely a reflection of solicitude for the staff of academic institutions but of concern for the general welfare by providing for the benefits of uninhibited scholarship and its free dissemination. . . . The court is of the view that termination of tenure based on changes in academic programs can be justified only after a faculty evaluation of the problem . . . The Bloomfield faculty had opposed many of the curriculum reforms advocated by President Allshouse."⁷³

It might be pointed out here that in 1972, the Commonwealth of Virginia abolished tenure in its Community College system without

⁷¹Ibid., p. 6.

⁷²Phillip W. Semas, "Victory for Tenure--Professors Win at Bloomfield," Chronicle of Higher Education, VIII, No. 37 (1974), 2.

⁷³Ibid.

major incident or legal rebuttal.

Federal governmental intervention was not new to the higher education scene. It made history in the 1954 ruling of the Supreme Court demanding desegregation of education, and recently appeared again in the decisions of the National Labor Relations Board where they claimed they had jurisdiction over bargaining arrangements at private institutions that have an annual budget in excess of one million dollars. The National Labor Relations Board was being challenged, however, by Wentworth College of Technology in Massachusetts. The institution claimed that it did not engage in commerce as defined by the National Labor Relations Act. Wentworth College also argued that faculty who have significant input into the operations and governance through policy development and implementation are supervisors and, hence, cannot be part of a bargaining unit. In the meantime, however, the National Labor Relations Board has been extensively involved in bargaining disputes at Cornell University, Ithaca, New York, and Long Island University, C. W. Post Center, Greenvale, New York.⁷⁴

Additional federal involvement has come from Federal District Judge James E. Doyle who insisted that there are minimal procedures that a university must follow if it is going to eliminate tenured positions because of financial difficulties. Somewhat contrary to Judge Antell in New Jersey, however, Judge Doyle believed that

⁷⁴Phillip W. Semas, "N.L.R.B.'s [National Labor Relations Board] Power over Colleges Is Challenged," Chronicle of Higher Education, VIII, No. 38 (1974), 1.

faculty members are not necessarily guaranteed involvement in the decision, but that the faculty members were entitled to be shown that one was not dismissed arbitrarily or for exercising their constitutional rights. The minimal procedures that an institution must follow, as suggested by Judge Doyle, were:

1. furnishing each plaintiff with a reasonably adequate written statement of the basis for the initial decision to lay off,
2. furnishing each plaintiff with a reasonably adequate description of the manner in which the initial decision had been arrived at,
3. making a reasonably adequate disclosure to each plaintiff of the information and data upon which the decision-makers had relied, and
4. providing each plaintiff the opportunity to respond.⁷⁵

Further federal intervention can be anticipated should decisions to release tenured faculty arise. Semas has stated that affirmative action regulations and interpretations by the Department of Health, Education, and Welfare and the various levels of the courts:

. . . indicate that when colleges are forced to lay off faculty members, they will not be allowed to drop only un-tenured professors if that means letting go a lot of recently hired women and minority group members. Federal regulations may also force colleges to justify the grounds on which they grant tenure.⁷⁶

⁷⁵ Phillip W. Semas, "Tenured Professors Have Only Limited Protection against Emergency Lay Offs, Federal Judge Rules," Chronicle of Higher Education, VIII, No. 36 (1974), 1.

⁷⁶ Phillip W. Semas, "Tenure--Two in Every Five Colleges Are Now Reviewing It," Chronicle of Higher Education, IX, No. 11 (1974), 1.

While Chait and Ford believed that higher education would move to collective bargaining, and rulings of the National Labor Relations Board were encouraging the trend, there were those who argued:

If tenure can be thrown out the window . . . there is no assurance for academic freedom . . . You are left with a sweatshop atmosphere where you must do what others tell you to do or else.⁷⁷

Indeed, the power of the collective bargaining unit cannot be ignored. In 1973, the City University of New York established ceilings on tenured faculty members in any one department at the 50 percent level with special justifications required for tenure to be granted beyond that point. The reaction was so strong from the recognized bargaining unit, the American Federation of College Teachers, that the City University Board of Trustees had to capitulate and rescind the regulation.⁷⁸ A modified approach to collective bargaining and tenure has been presented by Pierson. Pierson has suggested that administrators are managers, teachers are laborers, and students are consumers. The individual faculty member would apply for promotion directly to an administrator-faculty-student committee on faculty promotions. Specific requirements would have already been listed so evidence could be presented systematically. All appeal procedures would have been formalized so that an individual was fully aware of the promotional policies of the institution. A faculty member who was not promoted and believed he was aggrieved could appeal to the

⁷⁷"Tenure in Trouble," op. cit., p. 75.

⁷⁸Ibid.

Union-Administration-Student Committee. Evidence would be presented by both sides. Further appeal was possible to the Committee on Faculty Appeals of the Board of Trustees.⁷⁹ It was interesting to note here that Pierson, while allowing a modification of traditional or classical institutional structure, eventually concluded with the concept that the Board of Trustees or the institution remained the final governing authority.

Duryea and Fisk also addressed the question of collective bargaining and its relationship to the concept of academic tenure. They acknowledged two major acts (the National Labor Relations Act and the Wagner Act as amended) have clearly established the right of collective bargaining in certain sectors. They allowed the interpretation of the courts, however, to determine which institutions were covered, but questioned the validity of the one million dollar annual budget as a qualifying characteristic. Duryea and Fisk questioned collective bargaining and its value to higher education values and practices, however, in stating that:

Collective bargaining is essentially an egalitarian activity, at least as we have seen it in operation in the business and industrial sector. Accordingly, it emphasizes utilitarianism, standardization, and uniformity. If these values achieve primacy in higher education, what will be the effect on quality of service.⁸⁰

⁷⁹George A. Pierson, "Competing for Power in Today's University," Chronicle of Higher Education, VII, No. 17 (1973), 12.

⁸⁰Edwin D. Duryea, Robert S. Fisk and Associates, Faculty Unions and Collective Bargaining (Washington, D. C.: Jossey-Bass Inc., Publishers, 1973), p. 42.

Duryea and Fisk did, however, state that collective bargaining was intolerant of poor administration. They claimed that if collective bargaining was functioning correctly, it would help to eliminate:

1. costly administrative practices,
2. indecision,
3. dilatory behavior,
4. capricious actions, and
5. other similar inadequacies.

And, as is the case with other authors, Duryea and Fisk believed much of the negative attitude toward tenure was a direct result of inept administration in overseeing the implementation of the concept.

Another alternative to tenure policies was proposed by Silber, President of Boston University, Boston, Massachusetts, who suggested that tenure be combined with rolling contracts:

Under this plan, those who want and can qualify for tenure may still receive it. Others may remain at their institution under contracts for periods such as 5 years without committing themselves or the university.⁸¹

He also encouraged the use of the United States Navy system of promotion in institutions of higher education--namely, either promotion or release from the institution.

Birenbaum, President of Staten Island Community College of the City University of New York, presented the following proposal for tenure revision to the Council of Presidents of the City University of New York:

⁸¹"Tenure in Trouble," op. cit., p. 76.

1. Automatic tenure for all faculty appointed at the instructor level as long as they remain at that rank after one probationary year.

2. Fifteen years of automatic tenure for all faculty members appointed to assistant professor level or promoted thereto. Such contracts would be renewable following evaluation of performance at the end of each fifteen-year period so long as the person remained in this rank.

3. Ten years automatic tenure for all faculty appointed at the associate professor rank. These ten-year contracts would be renewable following evaluation of performance at the end of each ten-year period so long as the person remained at this rank.

4. Five years automatic tenure for all faculty members appointed at full professor level. These contracts would also be renewable after evaluation each five years.⁸²

Lastly, Park believed the inability to rethink the tenure system or the lack of imaginative alternatives was nothing more than:

. . . setting the tenure system up for major collisions with countervailing forces within the next 5 or 10 years. Unless we take our eyes off that rear-view mirror, we [would] be headed straight for tenure shock.⁸³

Research Related to Academic Tenure

The research report, "Academic Tenure at Harvard University":
". . . is substantially a reproduction of Harvard University's

⁸²Park, op. cit., p. 16.

⁸³Ibid.

Committee on Governance 'Discussion Memorandum on Academic Tenure at Harvard University.'"⁸⁴ Such a study became necessary as a result of the growing concern and discussions evolving about the granting and termination of tenure. When the recommendations of the Harvard University Committee of Governance were accepted, they provided:

". . . for the first time in its history a stated process for handling cases involving the possible termination of a tenure appointment."⁸⁵

The committee acknowledged that: "The rights of tenure include nothing more than this right of office without periodic re-appointment until retirement. . . ." ⁸⁶ The committee stated further that it was important to understand what tenure did not guarantee at Harvard University. Specifically:

1. Tenure did not include a guarantee, expressed or implied, that a faculty member would continue to teach the same courses and only such course or courses throughout his tenure.

2. Tenure was not a sinecure assuring a faculty member of a guaranteed annual wage while freeing him from any teaching obligations whatever or permitting him to spend the bulk of his time away from the institution which pays his salary.

3. Tenure did not permit a faculty member to flaunt the rules and regulations of his institution or even to engage with impunity

⁸⁴"Academic Tenure at Harvard University," AAUP Bulletin, LVIII, No. 1 (1972), 62.

⁸⁵Ibid.

⁸⁶Ibid.

in what by the standards of his discipline or profession would be malpractice.

4. Tenure did not even assure a faculty member his salary regardless of the financial predicament of his college or university, for institutional insolvency could be a reason for terminating a tenure contract.⁸⁷

The study cited several negative aspects of tenure which have caused serious discussion and consideration within society in the United States. The committee from Harvard was the first to admit:

. . . Tenure was one of the instruments whereby university and college professors gained a nearly exclusive power to determine who was entitled to membership in their ranks and limited the power of laymen (specifically, in the larger American perspective, the ecclesiastical and political authorities) to define or control the subject matter of academic disciplines. Tenure was one embodiment of the postulate that faculty members are not employees of the university but are the university.⁸⁸

Tenure, the committee understood and stressed, represents society's genuine concern for the freedom in inquiry and the full understanding and comprehension of the term academic freedom. The study made the classical defense for academic tenure accurately and without apology. The committee addressed itself to several problems centering on tenure and the major concerns relative to its practice.

First, the committee responded to the inability of Harvard University to adjust to the "buyer's market" as being inconsequential in that to do so would place the quality of the university's program

⁸⁷ Ibid.

⁸⁸ Ibid., p. 63.

in jeopardy. Secondly, the committee stated that excess concern for the lack of women or minorities on the university's staff was over-emphasized and would cease to exist as time passed and greater numbers of women and minority students completed graduate study and began the search for employment. Thirdly, it was stated that tenure actually developed a greater sense of faculty loyalty than would exist if an institution did not have a tenure policy.

In addition, the committee held that the argument that tenure hindered the development and expansion of new ideas had little validity because Harvard University had always been a model for forward thinking and new ideas in higher education. Lastly, the criticism that tenure contains a built-in bias in favor of research was not substantiable at Harvard University in that records have shown that while the student body had not grown significantly for two decades, the number of "classroom hours" had almost doubled in the same time span.

A strong recommendation by the panel, however, was that a greater length of time be taken to evaluate a person's value to the university and his potential as a scholar. The number of persons seeking entrance to the "gilded club" would be so numerous that no institution could be forced into offering tenure immediately without just cause:

In the 1960's to be sure the academic market was such that a tenure offer was more than once used to keep a young colleague at Harvard. For the foreseeable future, however, this economic situation will not so regularly pertain; and the natural disposition will be to defer as long as possible the moment of decision. In such circumstances, the absence of a required time for tenure decision will quite possibly be disastrous for the individuals

involved as well as for Harvard.⁸⁹

In a 1966 study by Graybeal, completed for the National Education Association Research Division, entitled "What the College Faculty Thinks . . . ," it was found that there was a low percentage of faculty members (basically, one in four) who believed that publishing was the primary factor for promotion or the granting of tenure in their institutions. There was evidence, however, mostly from faculty members having lowest rank, that 32 percent of those reporting out of a study population of 1,800 respondents, that those with tenure had greater academic freedom than those without tenure:

The opinions suggest that not only are there differences among institutions in the extent of academic freedom but that in some institutions academic freedom may not be equally distributed among the faculty.⁹⁰

Another study, "A Review of the Tenure Policies of 31 Major Universities," by Dressel, was undertaken in the spring of 1962 via the Office of Institutional Research at Michigan State University. Dressel stated:

Ideally, every institution should develop its own tenure policies on the basis of its particular philosophy. However, it is somewhat reassuring to an institution to know that its tenure policies are consistent with those of other institutions with which it must compete for faculty.⁹¹

The results of the Dressel study show that the number of faculty

⁸⁹Ibid., p. 68.

⁹⁰William S. Graybeal, "What the College Faculty Thinks . . . ," NEA [National Education Association] Journal, LV, No. 44 (1966), 49.

⁹¹Paul L. Dressel, "A Review of the Tenure Policies of 31 Major Universities," Educational Record, XLIV, No. 32 (1963), 248.

members in associate and full professor ranks is equal to the number in the assistant professor and instructor ranks. Generally speaking, however, the top two ranks are tenured and the lower two ranks are on probationary appointment. The study found that the number of assistant professors on tenure ranged from 0- to 70-percent.

Further, the number of instructors on tenure was few with the exception of one institution which had granted tenure to 33 percent of its instructors. The committee found that universities in general disliked the concept of tenure quotas. They found, however, that to maintain a balance one had to be aware of several significant factors affecting tenure:

1. the lack of objectivity in tenure recommendations,
2. the overgenerous commitment by administrators to new appointees,
3. discrepancies in the various departments amongst the various colleges as to the qualifications for tenure,
4. administrative negligence in following the prescribed time limit for notification of nonreappointment,
5. the "advantage" of granting promotions and tenure rather than excessive salary increases, and
6. the addition or inclusion of administrative and non-instructional personnel in the tenure ranks.

It is interesting to point out that in 1962, Dressel found: "The variety in reported practices and the problems associated with them suggest that an ideal tenure and promotion program has not yet been

found in any university."⁹²

In a study by Hicks, a conclusion was reached which supported the premise of many of the positions stated earlier in the positive and negative arguments for tenure. Specifically, that conclusion was:

There is a significant relationship between faculty members' status in terms of academic tenure and their attitudes regarding satisfaction, effectiveness, freedom, confidence, and personal involvement. Non-tenured faculty members were more dissatisfied with the extent of faculty involvement in governance. Tenured faculty members believed faculty participation in governance was more effective and free from institutional impediments. Furthermore, tenured faculty members had more confidence in campus governance leaders and were willing to become more actively involved in the governance than the non-tenured faculty members.⁹³

In 1971, Shaw completed a study of academic tenure policies and procedures of member institutions of the National Association of State Universities and Land Grant Colleges. The population of the study consisted of 106 of 112 members of the Association. The purpose of the study was to determine the policies for acquisition and termination of academic tenure. Shaw found that the results of his study did not differ significantly from previous studies relative to the ranks at which faculty members are normally eligible for tenure. The probationary period appeared to be similar, and the higher the academic rank the larger the percentage of tenured faculty. The dismissals studied for the dissertation did not indicate that they were unusually large in number or even statistically significant in

⁹²Ibid., p. 253.

⁹³Charles H. Hicks, "Faculty Attitudes Regarding Participation in Academic Governance" [unpublished Ph.D. dissertation, Southern Illinois University, 1971], Dissertation Abstracts International, XXXII, No. 9 (1972), 4984-A.

comparison to the number of faculty employed by these various institutions. It was recommended by Shaw that institutions keep a more accurate record of procedures for granting tenure, cases on which tenure was granted, and particularly accurate records on those cases where individuals were dismissed from a tenured position.⁹⁴

Byse and Joughin completed a study in 1959 of eighty private colleges, from a possible population of 170 institutions in California, Illinois, and Pennsylvania. The findings were not so different from other studies on tenure and, specifically, the only variation was that twenty-four of the eighty institutions automatically granted tenure regardless of rank after the individual had been on the campus a specified number of years (the years tended to coincide with the AAUP recommendations). They also found that forty-five of the eighty colleges granted tenure when an individual was promoted to a particular professorial rank. Only three institutions out of eighty did not recognize tenure.

Of the institutions constituting the study sample, seventy-seven had some form of tenure policy. All institutions indicated that final authority rested with the Board of Trustees or the governing body. The criteria used for promotion and evaluation were not readily available and clearly defined (this supports the desire on the part of a significant number of persons to expand and formalize the

⁹⁴ Biswanath Shaw, Academic Tenure Policies and Procedures in State Universities and Land Grant Colleges which Are Members of the National Association of State Universities and Land Grant Colleges (Chicago: Adams Press, 1971), p. 100.

process of petitioning for, and the acquiring of, tenure). It is interesting to note that twenty-five institutions reserved the action of the granting of tenure to the administration. Faculty consultation was provided for in some form at ten institutions, and twenty-six institutions provided for extensive faculty consultation. There were, however, twenty institutions which offered no statement about procedures whatsoever. The conclusions and recommendations of Byse and Joughin were:

1. All institutions should develop a plan for the granting of tenure.
2. Institutions with doubts about their tenure policies should develop a comparative self-study.
3. Tenure plans should be explicit, formal, and detailed.
4. Remove from the charter or policies of institutions vague termination criteria.
5. All institutions and all individuals, administration and faculty, must exercise the utmost in professionalism.
6. Religious freedom is essential, but reasonable limitations are acceptable when understood at the time of appointment.
7. Tenure plans should state that retention of a faculty member beyond the stated probationary period automatically confers tenure.
8. Tenure plans should be available to all ranks.
9. All plans and policies related to tenure should involve faculty action at one or more levels.
10. Provisions must be made for detailed procedures for

appeal, preferably to a standing committee of the faculty.

11. The standards for dismissal of a faculty member with tenure should be incompetence in teaching or research or gross personal misconduct which makes the faculty member unfit for association with students.

12. All tenure plans should be revised to include

a) provisions for adequate due process protection,
and

b) vesting in faculty or its elected representatives primary responsibility for deciding whether the accused member is professionally unfit.⁹⁵

The study also demonstrated that all error does not rest with the faculty. There are times when the administration and the governing board are at fault relative to implementing proper or logical procedures for the granting or termination of tenure. The authors stated:

. . . The mistake of the governing board appears to derive from the great devotion to the value system of conservatism and a limited perception of the essential academic need of exploration and freedom.⁹⁶

Further, the authors felt:

It may be significant that no college or university offers criteria or procedures by which the faculty--the persons whose lives and welfare are one with that of the institution--can take action to remove a Trustee of demonstrated incompetence. . . .⁹⁷

⁹⁵ Clark Byse and Louis Joughin, Tenure in American Higher Education: Plans, Practices, and the Law (Ithaca, New York: Cornell University Press, 1959), pp. 132-50.

⁹⁶ Ibid., p. 52.

⁹⁷ Ibid., p. 154.

In sum total, this 1959 study was decidedly protenure, recognizing that cooperation was a two-way street, but that there was no alternative to tenure for the maintenance of academic freedom.

Joughin, in his book, Academic Tenure and Freedom, which is normally accepted as the handbook of the AAUP, stressed that:

Academic freedom, tenure, and academic due process thus form a triad which brings together the deep regard of the civilized world for knowledge and the practical form of protection needed by academic workers. . . .⁹⁸

Joughin went on to say:

We ask, then, for the maintenance of academic freedom and of the civil liberties of scholars, not as a special right but as a means whereby we may make our appointed contribution to the life of the commonwealth and share equitably but not more than equitably in the American heritage. . . .⁹⁹

Generally speaking, Joughin's study was nothing more than a philosophical discourse on what academic freedom and tenure do and how they relate to each other and to the institution of higher education.

Another significant study on the concept of tenure was done in May 1971 at the University of Utah, Salt Lake City, Utah. This was a self-study where the University of Utah attempted to look at itself objectively to determine whether or not the concept of the academic tradition of tenure placed constraints on the academic community, either in its growth or flexibility with its academic program. After carefully reviewing tenure policies and practices, the committee

⁹⁸ Louis Joughin, Academic Freedom and Tenure [a handbook of the AAUP] (Madison, Wisconsin: University of Wisconsin Press, 1967), p. 6.

⁹⁹ Ibid., p. 49.

considered various alternatives to a tenure system. They narrowed the alternatives to three:

1. the elimination of tenure,
2. the fixed-term renewable contract, or
3. unions and collective bargaining.

All three were unacceptable to the commission for various reasons, many of which have already been described or discussed in this chapter. Significantly, however, the commission concluded:

. . . that the affirmative educational values associated with and protected by the tenure system--especially the indispensable freedoms to teach, learn, investigate, evaluate, criticize, and communicate--would be gravely threatened by its abolition and that the alternatives to tenure are not likely to provide effective protection of these values.¹⁰⁰

Further, the committee was quick to indicate that the deficiencies in faculty behavior were basically three:

1. improper conduct or the inability or failure to meet professional commitments;
2. deficient, inadequate teaching or scholarship--what is generally described as being professionally incompetent; and
3. the lack of a procedure, visible or nonvisible, for initiating complaints against colleagues falling in the first two categories.

Therefore, the commission proposed three basic recommendations:

1. the tenure system at the University of Utah should be maintained,

¹⁰⁰"Report of the University of Utah Commission to Study Tenure," AAUP Bulletin, LVII, No. 3 (1971), 431.

2. affirmative measures should be undertaken by the University Committee to assure full compliance by all faculty members with professional standards of performance and responsibility, and

3. the University community should initiate appropriate proceedings leading to adoption of a code of faculty responsibilities consistent with traditionally accepted principles of academic freedom.¹⁰¹

One of the most recent detailed books on tenure is The Tenure Debate, edited by B. L. Smith and published in 1973. This was the first major publication on tenure in higher education since the Byse and Joughin book in 1959. The book is a collection of essays on tenure and its relationship to education. B. L. Smith reaffirmed the positive value of tenure as well as the need to improve present tenure practices. Silber, a contributor and cited earlier in this work, was adamant that tenure was a negative characteristic of higher education and a millstone around the neck of progress. Silber attacked the AAUP for its inability to be consistent, citing that there were several instances where the AAUP had accepted variations within the Ivy League but pressed to the limit their demands in less prestigious institutions. Livingston, in the same work, called for equality in higher education and the elimination of academic class, namely the distinction between tenured and nontenured faculty. He quoted Wilkinson: "I have been kicked out of two universities for my

¹⁰¹Ibid., p. 432.

virtues and offered tenure in two others for my vices. . . ."102

Livingston further stated that it was the competitive nature of our society (the desire to have tenure) which destroyed man rather than all men being equal and each rendering according to his ability. He pursued the idea that one should not be removed from an academic community but rather helped by his colleagues to develop to his full potential. Hodgkinson, another contributor in the B. L. Smith book, encouraged consideration and use of growth contracts--namely, take institutions or faculty where they are and move them forward. Hodgkinson emphasized that institutions cannot be out of public view and that it was the responsibility of those in authority to attack the issues of public confidence and to improve teaching.

If the professoriate will not tackle these issues because of fear that tenure is the only issue that matters, then academia can be justly accused of lecturing on navigation while the ship is going down. . . .103

Maggot, in the same work, stressed and reemphasized the need for explicit, satisfactory criteria for the evaluation of teaching and, hence, promotion and eventually the awarding of tenure. McHugh, in the B. L. Smith work, cited sponsored research, growth of multi-universities, and disenchantment of the public with higher education for the development of conflict and confrontation through the use of collective bargaining at institutions of higher education. He stated that by 1971, 130 colleges and universities had been unionized. He

¹⁰² Bardwell L. Smith and Associates, The Tenure Debate (San Francisco, California: Jossey-Bass Inc., Publishers, 1973), 107.

¹⁰³ Ibid., p. 119.

asserted that unionization fosters an adversarial relationship, for it automatically separates what heretofore has been considered a unified effort in reaching institutional goals. McHugh stated that favorable changes can be brought about in tenure policies at institutions without unionism, but that unions, of course, negated any such possibility. O'Neal, in his section of the book, stated: ". . . It may well be, however, that taxpayers have become increasingly angry about an apparently inverse correlation between the costs of the system and its performance."¹⁰⁴ Such attitudes have led to attacks on tenure from legislators, nontenured faculty, minority groups, and from the general public.

B. L. Smith summarized by indicating that without long-term planning, higher education would be victimized by fashion and powerful interests at the expense of continuity, reasoned analysis, and the needs of society at large. His conclusions and recommendations were:

1. strong, heterogeneity (neither egalitarianism nor meritocracy);
2. modification in the role of governing boards;
3. no set pattern or form for campus governance, but rather that which is applicable to an institution's mission;
4. a balance between teaching and research so as to provide an all-encompassing academic atmosphere;
5. a renewed serious attention to teaching to put it back into an equal stance with item 4; and

¹⁰⁴Ibid., p. 198.

6. institutions must foster critical responsibility in the social order.¹⁰⁵

A study by Walters had a dual purpose: the clarification of the current status of the tenure principle and a critical self-study for the institutions involved. The study population included seventeen accredited colleges and universities, selected so as to represent the three major types of institutions of higher education in the state of Indiana. Namely, they were: those supported by the state, those supported by a religious denomination, and those which were independent nonsectarian. The nature of the study was one of fact-finding through the use of a questionnaire and structured interviews with the chief academic officers of the population institutions. Walters concluded the following:

1. Tenure is almost universally recognized in higher education in the United States; however, its purposes and goals tend to be ambiguous.

2. Legal protection of tenure is insubstantial. The courts have emphasized the importance of due process rather than render judgments conceding the substantive basis of academic tenure. Professional means protecting tenure will remain the chief reliance of college faculties.

3. Governing boards have traditionally delegated tenure authority, but are now beginning to resume such authority.

4. The critical test of the loci of tenure authority is

¹⁰⁵Ibid., p. 201.

where the process is initiated and by whom the original evaluation is made.

5. Tenure decisions are the prerogative of the tenured faculty and administration; however, students make indirect contributions through teacher-course evaluations.

6. The extent of real tenure decision-making on the part of the academic officer is inversely related to the size of the institution: the smaller the institution, the greater the power of the chief academic officer. The role of all campus tenure committees and the president in tenure decisions tends to be pro forma.

7. Colleges and universities do not commonly recognize the right to appeal denial of tenure.

8. The number of college teachers holding tenure is roughly equal to the number of teachers holding the two top academic ranks.

9. The percentage of probationary appointees achieving tenure is dependent upon the care exercised in original faculty selection.

10. Termination of tenured faculty members is rare.

11. Financial exigencies as a grounds for tenure termination will be in use in the next decade.

12. Size of institution, not type of institution, tends to reveal differences in tenure plans and practices. The smaller the institution, the less formality and codification of the tenure principle.

13. Indiana tenure policies reveal general concurrence

with AAUP principles and do not differ from findings of previous tenure studies.

14. Academic tenure protects academic freedom and teacher incompetency.

15. Because of financial problems and a flooded market of college teachers, tenure will be offered less frequently and tenure decisions will be more severe in the 1970s.

16. Tenure is under question today and because improvements, alternatives, and alterations are available for implementation, the academic tenure system is likely to change in the future.¹⁰⁶

The most significant research-based study on tenure to date was completed in July 1972 for the Southern Regional Education Board by Blackburn. The study was a direct result of his concern that: "Higher education has fallen from grace. She has tumbled."¹⁰⁷ Blackburn stated that while higher education had traversed the entire mile between public accolade and public displeasure, citizens no longer challenged the institution, the students, or the administrators, but rather their emphasis and focus was on the professor or "academic man." Blackburn contended that the citizenry had focused even more narrowly by making tenure the bull's eye of their target. He stated:

While tenure remains the yellow circle, other rings receive a full measure of pot shots. For instance, some shots hit the red

¹⁰⁶ J. C. Walters, "Academic Tenure in Indiana Higher Education" (unpublished Ph.D. dissertation, Indiana University, 1971), pp. 157-60.

¹⁰⁷ Robert T. Blackburn, Tenure: Aspects of Job Security on the Changing Campus (Atlanta, Georgia: Southern Regional Education Board, 1972), p. 1.

of accountability, while others penetrate the blue of efficiency. Other whites and blacks are indolence and unproductivity. Complacency and ineffectiveness also encircle the bull's eye. So do strikes and due process. In short, this target has many rings.¹⁰⁸

It was Blackburn's position that while people assumed or believed they were striking out at tenure, their genuine concern was with higher education in its entirety. Included were disapproval of faculty behavior and lack of confidence in administrative management.

Blackburn further stated that when all rhetoric was sifted, two main concerns would be isolated:

1. the belief that faculty lack any ability whatsoever to adapt to a changing situation, and

2. the charge that faculty are sloths.

It was these two positions that Blackburn confronted in the writing of his monograph. Blackburn, citing studies by Evans; Heflin; Dressel and DeLisle; Remmers and Elliott; Stallings and Singdahl; Hildebrand, Wilson, and Riley; Ryan and Lifshitz; and Blackburn and Lindquist, found no statistical or scientific evidence that faculty members with tenure were any more reticent to change or unwilling to adapt to new situations than faculty without tenure. In fact, the studies, while they did not prove same, did infer that faculty members who have attained the rank of full professor and have acquired tenure may well be more adaptable or flexible than those faculty members who had not reached prestige status.

Blackburn cited several studies relating to the charge of

¹⁰⁸Ibid., p. 6.

faculty slothfulness. In researching material for his monograph, he emphasized that:

Passion and persuasion must not overrule hard, empirical data. The many dimensions of the faculty role make it clear that there is no single measure of productivity that can represent the total contribution of academic men.¹⁰⁹

Berelson in 1960 and Wilson again in 1967 found that only about 10 percent of collegiate faculty were actually engaged in 90 percent of the scholarly research and production. Also, Luthans in 1967 and Lasher in 1968 reported: ". . . Contrary to common belief, promotion does not correlate with research,"¹¹⁰ while Axelson, in a study conducted in 1959, purported that academic or scholarly output was most productive the first fifteen years after an academician received the doctoral degree and then fell off considerably. Contrary to Axelson, however, Pelz and Andrews in 1966 found that production would rise, would fall, and then rise again. Pelz and Andrews purported that a decline in productivity was always associated with a reduction in motivation. They found: "When projects were changed periodically, when self-reliance was high, and when the man's interests were both deep and broad, performance was sustained throughout his career. . . ."¹¹¹ Further, in 1967, Cantrell found that research articles were generally reduced by or after the age of fifty but that scholarly articles and books, or similar contributions, increased so

¹⁰⁹ Ibid., p. 19.

¹¹⁰ Ibid., p. 20.

¹¹¹ Ibid., p. 22.

that in actuality there was no reduction but rather a continuous rise in scholarly activity. Blackburn's overall conclusion to the sloth charge was that: "The producers and contributors maintain an output quite independent of rank or age. Hence, there seems not to be a casual factor."¹¹² If any factors were to be involved with an academician's decrease in scholarly productivity, Blackburn contended that they were related solely to personal factors and were unrelated to age, rank, or tenure.

It is important to note here reasonable support of Soules and Buhl by Blackburn when he stated:

. . . Faculty must face their role in management and not duck. For example, faculty have argued and secured (de facto) the vital right to select, promote, and award tenure to their colleagues. To hold that privilege they must also assume leadership in acting towards peers who are slipping--to help them up, and to support them, but also to act to remove them when remediation and rehabilitation fail . . . Faculty negligence in policing themselves is unacceptable behavior.¹¹³

In addition, Blackburn stressed that college and university presidents have been negligent during assaults and attacks on tenure. It is their responsibility, according to Blackburn, to explain to board members, to legislators, to alumni, and students exactly: ". . . what tenure is, and what it is not."¹¹⁴ In addition, institutions must work within to develop more comprehensive and efficient methods of faculty evaluation. Blackburn stated that tenure has a place, but that it

¹¹²Ibid., p. 25.

¹¹³Ibid., p. 45.

¹¹⁴Ibid., p. 46.

can only exist when appropriate administrative guards and faculty expectations of their peers are stressed and demanded.

The most extensive research on the topic of tenure was completed in 1973 by a committee chaired by Keast. The committee constituted a commission on academic tenure in higher education under the auspices of the American Association of University Professors and the Association of American Colleges. The commission had as its charge the review of the operation of the tenure system and tenure concepts in higher education in the United States. It was required to evaluate criticisms of tenure and to evaluate and consider alternatives to tenure (those in use in institutions and those suggested by scholars) and to make appropriate recommendations.

The Keast Commission, as it has come to be known, isolated seven important features in the operation of current tenure policies:

1. Tenure in some form is a major characteristic of faculty personnel policies within the United States. They exist in all public and private universities, all public four-year colleges, and 94 percent of private four-year colleges, and more than 66 percent of two-year colleges. The commission found that approximately 94 percent of all faculty are employed by an institution which acknowledges and grants tenure.

2. While most institutions which grant tenure adhere to the "1940 Statement on Academic Freedom and Tenure," in the March 1970 AAUP Bulletin, subsequently referred to as "1940 Statement," the diversity is so great and the interpretation of the policies and procedures of each institution are so varied one cannot assume or state that there is a uniform tenure concept (formal policy) in higher education in the United States.

3. In most institutions approximately 50 percent of the faculty hold tenure. There are, however, many institutions where faculty with tenure are less than 25 percent; and there are many institutions where the faculty with tenure exceed 80 percent. (It is important to note that the commission cites that the tendency is in the direction of the latter.)

4. As of the time of the study, institutions in higher education in the United States conferred or granted tenure without constraint. Generally, 80 percent of the faculty considered for tenure in 1971 were granted tenure, and 42 percent of all the institutions granting tenure to faculty members did so for all who were eligible.

5. During the 1960s, the age at which tenure was awarded dropped significantly. In 1969, nearly two thirds of the tenured faculty were fifty or younger. Of the total faculty three-fourths were fifty and younger.

6. Only about 6 percent of the institutions surveyed operated under a quota system, that is, setting limits to the number of faculty who should be granted or are on tenure.

7. While the 50 percent level of faculty having tenure is similar to what it was in the early 1960s, the future indicates this will change drastically. The lower mean age of faculties, tight budgets, a reduction in the growth of enrollments, a continuation of liberal policies in granting tenure will all merge to produce a gigantic problem relative to the numbers of persons who have tenure in relationship to the administrative budgetary problems of the

institution. The commission feels all of these factors will make it extremely difficult for women and minority group members to become fully integrated into the faculty ranks of higher education in the United States.¹¹⁵

After presenting forty recommendations, the committee concluded that: ". . . academic tenure should continue to be the characteristic form for organizing professional teaching and scholarly service in American higher education."¹¹⁶ Keast stressed that the commission's detailed recommendations had an overriding goal--that being the reform and strengthening of tenure policies and practices.

Following a review of the pros and cons of tenure, the commission made the following specific recommendations:

1. Institutions without tenure plans should make every effort to institute same.
2. Institutions which feel their plans and practices are in doubt should institute an evaluation process with the availability of all members of the community (save the students) in reevaluating same.
3. All institutions with "possible rare exceptions" should have tenure plans stated in explicit detail.
4. Institutions whose charters or constitutions prohibit

¹¹⁵William R. Keast, "The Commission on Academic Tenure in Higher Education: A Preview of the Report" (presentation at the annual meeting of the Association of American Colleges, San Francisco, California, January 15, 1973).

¹¹⁶Ibid., p. 3.

the implementation of tenure should modify same, so as to permit tenure to be a part of their administrative process.

5. Judges in courts are encouraged to recognize that a long period of service to an institution, even where there is no tenure policy, does entail or require appropriate procedures for the protection of the individual's rights and compliance with academic due process.

6. Faculty members have an obligation to be fully professional in their relationships with the institution by following and acknowledging agreed-upon dates for resignation, respect of academic freedom, and their lack of legality in speaking for the institution.

7. Restrictions on academic freedom and tenure may be implemented by religious institutions if it is done at the outset of the appointment.

8. ". . . Tenure plans should provide that retention of a teacher beyond a stated probationary term confers tenure."¹¹⁷

9. Tenure should apply to all ranks.

10. Institutions should adhere to a standard in regard to tenure policies and practices modifying same only for special local considerations.

11. Institutional tenure plans must provide for involvement by the faculty in regard to tenure decisions.

12. Institutions must provide for appeals from those

¹¹⁷Ibid., p. 140.

persons who are denied tenure.

13. "The standard for dismissal of a faculty member with tenure should be incompetence in teaching or research or gross personal misconduct which unfits the faculty member for association with students. . . ." ¹¹⁸

14. Institutions must provide for

- a) adequate due process in dismissal proceedings,
- and
- b) vesting in the faculty or faculty representatives primary responsibility in decisions relating to professional competencies.

The commission also made several statements relative to the relationship of tenure to other institutional characteristics of higher education. For example, should a faculty member hold a particular point of view contrary to the majority of those on a governing board, it is essential that the faculty member, in discussing these problems, have some form of security to provide protection from arbitrary dismissal. If governing boards acknowledge the necessity of academic freedom or intellectual inquiry on the college or university campus, it is essential they recognize same must exist even when overzealous board members become involved with the actual administration of institutions. These safeguards were explicit and mandatory, not only for institutions involved in collective bargaining, but also for institutions that permit and encourage variation in involvement or

¹¹⁸ Ibid., p. 144.

relationship with institutional policy-setting by faculty groups.

It must also be recognized that within a college or university it has long been the position that the professor is the expert in a given field. His training and development generates a significant scholarship in an area which places him in a position to be able to look objectively into given areas. Hence, some form of security is essential should findings by scholars ever differ with individuals in governmental power.

Academic freedom cannot be ignored as a mainstay of higher education in the United States, and there must be some basis on which to enforce or support the concept. The commission argued that the only plausible alternative was the implementation or use of effective and well-designed policies and plans of tenure. And, while individuals such as S. N. Linowitz from the Special Committee on Campus Tension have stated:

" . . . tenure was not devised in the spirit of trade-union systems to guarantee job security, but it has come to serve this function too, at a cost. It sometimes has been a shield for indifference and neglect of scholarly duties . . . ,"¹¹⁹

the commission suggested a recommitment to the basic principles which gave birth to the "1940 Statement," as well as other continually supported ideals in higher education in the United States, could be achieved with the revitalization and rejuvenation of effective faculty evaluation by peers and orderly and efficient administration by the

¹¹⁹William R. Keast and John W. Macy, Jr., Faculty Tenure: A Report and Recommendations by the Commission on Academic Tenure in Higher Education (Washington, D. C.: Jossey-Bass Inc., Publishers, 1973), p. x.

colleges and universities. Again, it would seem that the main theme of Soules and Buhl has permeated the review of literature, namely reform from within through the revitalizing of the tenure process with integrity.

Summary

After one has surveyed the literature relating to tenure and tenure policies, one will have become aware that there are two points of view. The first is that of the traditionalist and his followers demanding that tenure be recognized as the only source of academic freedom and that without it every individual at a professorial rank would be in jeopardy or in danger of having the freedom to learn, the freedom to teach, or the freedom to speak, removed from the higher education scene. These individuals stressed that the achievements of the AAUP since 1948 have been monumental in allowing free will to exist on a college or university campus.

The second point of view is expressed by those individuals who challenge the concept of tenure and are determined to prove that it is a sinecure for the incompetent, that it protects individuals in a form of unionization; and, while there are conditions stated for removal for cause, said cause is impossible to prove and rarely ever attempted. Those supporting the second camp have frequently suggested alternatives to present tenure concepts and interpretations. They have suggested the use of term contracts, renewable term contracts, evaluative techniques at various intervals for individuals on tenure, and the concept that all persons be granted tenure so that all members

of the profession may have access to academic freedom. As it has been suggested, it appeared that the struggle was basically one between the haves and the have-nots, those who belong to the exclusive club of tenured faculty and those new graduates of universities seeking recognition and finding it difficult to break the status quo should they do anything contrary to what is acceptable professorial behavior or scholarly endeavor.

Research related to tenure was meager and consisted of only a few studies. The bulk of the research was completed by persons favoring tenure and those who wish to see its continuation. Other individuals who did research for a doctoral study did so on a comparison basis merely to determine whether or not certain practices were common amongst institutions of various kinds or in various locations of the country. Tenure studies undertaken by several universities across the country appeared to have been protenure and accentuated or overemphasized negative characteristics of tenure were not in evidence. The most significant tenure research was that completed by Blackburn. He took the approach that tenure was good and made an effort to provide statistical evidence that tenure does not hinder or prohibit a faculty member from continuing his productivity in scholarly endeavors after he has received tenure. The most complete research study on tenure was accomplished by the Keast Commission, a joint effort undertaken by the American Association of University Professors and the Association of American Colleges. The report was protenure, but did investigate and consider all alternatives to the present process. While it recognized there were some

deficiencies in the current implementation, it was made clear that the commission felt tenure should not be abolished.

CHAPTER III
DESCRIPTION OF POLICIES AND
POLICY CHANGES

This chapter contains a description of the policies pertaining to academic tenure at the twelve institutions included in the study population. The data was acquired through on-campus interviews with the President or Academic Dean and the faculty chairman of the committee responsible for or associated with tenure policies, and from tenure policy statements in the various faculty handbooks. Institutional statistics were secured through the completion of an Institutional Data Sheet (see Appendix D) by the writer or an officer of the college.

Institutional Definitions of Tenure

The definitions of tenure, as presented in the faculty handbooks of 1973-1974, varied from the minimal to the complex. Examples are as follows:

1. One institution simply acknowledged the content and provisions made in the "1940 Statement" endorsed by the Association of American Colleges.

2. Another institution stated that:

Tenure means that a teacher is assured of employment by the administration from year to year instead of needing to negotiate

his employment year by year. It is neither an indication of perfection nor a provision for protection of laxity. It is rather a recognition of achievement in teaching and scholarship and of faithfulness to the college and the church. At [college] tenure is interpreted in terms of Christian brotherhood so that it is always regarded as a meaningful and responsible inter-relation between teaching faculty and administration.¹²⁰

3. Another statement read:

The college's policies on faculty employment, promotion, tenure, and privileges arise from its basic purpose as a college of Liberal Arts. Every person receiving appointment to the faculty of . . . College presumably accepts and supports the statement of the college's purpose passed by the faculty in 1963 and printed in the catalog as follows: ". . . College is a community of scholars engaged in evaluating, preserving, and enlarging mankind's store of knowledge. To this end the college endeavors to create an environment which generates a love of learning, habits of critical thought and accurate expression, and ultimately the strength of character and spiritual values needed for a productive life in modern society."¹²¹

4. Another stated:

Whereas the college affirms the principle of academic freedom for all members of the faculty, tenure is a means to, and a further guarantee of, freedom of teaching and research and of extramural activities and a means of offering a degree of economic security to make teaching at . . . College attractive to men and women of ability.

Tenure is a contractual condition of continued employment as a member of the teaching faculty until retirement, guaranteed by the Board of Trustees of the college and applicable so long as the recipient fulfills his stated responsibilities and so long as a position exists appropriate to his professional competency.¹²²

5. Further, another institution placed tenure in this

¹²⁰ Sources of direct quotes from institutions' handbooks are not identified so as to support the participating institutions' request for anonymity. The direct quote is offered by the writer so the reader may appreciate the thrust of individual institutional wording.

¹²¹ Ibid.

¹²² Ibid.

light:

The meaning of tenure is accepted to be freedom to teach, to do research, and to participate in extramural activities with a sufficient degree of economic security and permanence of employment to make the profession attractive to men and women of high integrity, industry, and ability.

Tenure imposes upon a faculty member the responsibility of continued self-improvement through study or educationally constructive travel and of scholarly attainment through research and publication. Tenure, then, is essential to the success of an institution in discharging its responsibilities to its students, to its alumni, and to the social order.¹²³

6. One of the most simplistic definitions of tenure was:

Academic tenure is an arrangement whereby faculty appointments are continued until retirement age or physical disability, subject to dismissal for adequate or extraordinary circumstances because of financial exigencies.¹²⁴

A philosophical approach to the interrelationship of tenure with the academic community was found in the following concept:

This recommendation is adopted from the 1968 AAUP Statement of Recommended Regulations on Academic Freedom and Tenure for Educational Institutions. It has been modified to conform with the recommendations now being completed by the President's Policy Committee and also with the Statement on University Governance endorsed by the Association of Governing Boards of Universities and Colleges, the AAUP, and the American Council on Education. These regulations are designed to enable . . . [college] to protect academic freedom through tenure and the requirements of academic due process. The principles implicit in these regulations are for the benefit of all who are involved with or are affected by policies and programs of the institution. A University is a marketplace of ideas and it cannot fulfill its purposes of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method.

In the words of the United States Supreme Court, "Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding: otherwise, our

¹²³ Ibid.

¹²⁴ Ibid.

civilization will stagnate and die."¹²⁵

Of the twelve institutions surveyed, seven (or 58 percent) had a specific definition of tenure. The remaining five referred to and acknowledged tenure but did not attempt to define it formally. It might be noted here that in the process of interviewing the academic officers or committee chairmen, 82 percent of them were unaware as to whether or not tenure was defined formally at their respective institutions.

Acquisition of Tenure

There was one institution in the study population which indicated that it had, although not stated as such, a policy of automatic tenure for faculty who had been on the staff for a given number of years. The other eleven institutions were most emphatic in stating that while automatic tenure may have been the practice at one time, it was no longer true, nor did they see it returning in the future. Automatic tenure referred to continuing reappointments for a given number of years with tenure being granted without a specific evaluative process.

The probationary period, at the several institutions, for the granting of tenure ranged from adherence to AAUP guidelines to the requirement of a full seven years of service at the institution.¹²⁶ In addition, the various policies permitted individuals to be hired at

¹²⁵ Ibid.

¹²⁶ Ibid.

various professorial ranks, determined the number of probationary years that would be transferred, and established the number of years of probationary service required by an institution before tenure could be given at a specific rank. A summary of this data is presented in Table 1.

Table 2 indicates that the majority of the institutions in the study group, eleven or 92 percent, required seven or more years of total probationary service prior to the awarding of tenure. Table 3 demonstrates the number of institutions recognizing leave of absence for credit toward probationary requirements as of June 1974. It must be stated that while eight, or 67 percent, had no policy statement on same, the administrators and faculty interviewed did infer the institution's position was negative on this issue.

The criteria used in the evaluation of a professor prior to the awarding of tenure were as varied as the number of institutions involved. It was found that two institutions, or 17 percent, had no policies relative to what was judged prior to the granting of tenure, while two other institutions, or 17 percent, stated that a faculty member must have rendered "satisfactory service" or "acceptable service." In addition, two other institutions expanded their requirements to two items: one stated a faculty member must have demonstrated good teaching and be of sound character, while the other stated that the faculty member must be involved in professional and scholarly activities and worthwhile work outside the classroom. The remaining institutions attached such items as:

1. participation in faculty activities,

TABLE 1

YEARS OF PREVIOUS SERVICE WHICH MAY BE ALLOWED IN MEETING PROBATIONARY REQUIREMENTS IN AWARDED TENURE BY RANK AT TIME OF APPOINTMENT AS OF JUNE 1974 BY NUMBER OF INSTITUTIONS

Rank of Initial Appointment	Number of Institutions per Number of Years Credit Allowed							Total Number of Institutions	
	1	2	3	4	5	6	7		Tenure Not Available
Instructor	..	..	1	..	..	..	..	5	12
Assistant									
Professor	1	2	3	1	..	..	..	5	12
Associate									
Professor	..	1	5	1	..	..	..	5	12
Professor	..	1	3	2	1	..	..	5	12

TABLE 2
 NUMBER OF YEARS TOTAL PROBATIONARY SERVICE REQUIRED
 BEFORE THE AWARDING OF TENURE AS OF JUNE 1974
 BY NUMBER OF INSTITUTIONS

	Number of Institutions per Number of Years Probationary Service							More than 7 if Local Policy Required a Given Residence
Total Institutions Responding	1	2	3	4	5	6	7	
12	1	..	4	7

TABLE 3
 NUMBER OF INSTITUTIONS RECOGNIZING LEAVE
 OF ABSENCE FOR CREDIT TOWARD
 PROBATIONARY REQUIREMENT
 AS OF JUNE 1974

Institutions Responding	Number
With policy	. .
With no policy	4
Recognizing policy but with no policy statement	8
Total	12

2. participation in community activities,
3. continued professional growth,
4. demonstration of the ability to generate collegiate relationships,
5. adequate and sufficient health to maintain the rigors of the position,
6. an acknowledgement of and genuine concern for aims of the college, and
7. "the departmental situation."

Visitation to the various campuses of the study population made it evident that the professional staffs at eight of the twelve institutions in the study, or 67 percent, were cognizant of what the institution meant by tenure, what was judged for the awarding of tenure, and the relationships of the various faculty members to the awarding of

tenure. The four remaining institutions acknowledged there was a discrepancy on the campus as to what was reviewed or surveyed relative to a faculty member prior to the awarding of tenure and that these were items that should be more clearly defined in the future.

Procedures for Acquiring Tenure

There were three institutions, or 25 percent, which did not have a stated procedure for the acquisition of tenure. The remaining nine institutions exhibited some variations, but greater similarities in that the faculty member was evaluated by his peers, by his supervisor (usually department chairman), and by the administration, meaning academic dean and/or President. All twelve institutions acknowledged that the final authority on the awarding of tenure rested with the Board of Trustees or the governing body of the institution. Several institutions required the individual faculty member to maintain a personnel file illustrative of his accomplishments and errors. Included would be items such as peer evaluations, student evaluations, copies of data relating to publications, and awards or honors received from community organizations.

The most accepted procedure in evaluating tenure was that of consultation between department members, department chairmen, Academic Deans, and Provosts or Academic Vice-Presidents. At five, or 42 percent, of the institutions, a faculty-wide committee was empowered with the responsibility to make recommendations regarding promotions and tenure. It was also found that only two, or 17 percent, of the institutions surveyed required the faculty members to initiate the

request and evaluation procedures for tenure.

In the study group, seven, or 58 percent, of the institutions had a stated procedure to be followed in the acquisition and awarding of tenure. The remaining institutions indicated the procedure was well-known and followed religiously even though it was not stated in the faculty handbook or any other source.

Appeal Procedures when Tenure Is Denied

Of the twelve institutions, seven, or 58 percent, had no stated procedures to be followed if a faculty member had been denied tenure: four of those seven, however, indicated in the research study interview that an appeal was possible and that its availability was understood on the campus, although it was not stated specifically in institutional policy. The other five institutions had a faculty committee to which the faculty member could appeal if he believed the decision on his tenure was inappropriate. There was one institution which indicated that while the faculty member could appeal to the Board of Trustees, he could also appeal to the governing board of the church with which the institution was affiliated. In all instances where there were provisions for an appeal, such being either a reconsideration by the parties rendering the initial decision or a hearing by a specially constituted body, it was clearly understood that ultimate authority for promotion rested with the various governing boards.

Criteria for Tenure Termination

Of the twelve institutions, three, or 25 percent, made no

provisions in their faculty handbook or institutional policies for the termination of tenured faculty, while three others indicated they followed the 1958 AAUP recommendations or standards on faculty dismissal. The remaining institutions listed numerous and varied criteria for tenure termination. Included were:

1. incompetency and neglect of duty;
2. disloyalty;
3. immorality;
4. insubordination;
5. lack of cooperation;
6. lack of concern for institutional goals and objectives;
7. mental and physical incapacity;
8. unbecoming conduct;
9. violations of University policies;
10. failure to meet and continue adherence to the criteria by which tenure is granted;
11. accepting an administrative post with the college; and
12. one institution stated: "only for cause" without any definition, interpretation, or delineation.

Procedures for Termination of Tenured Faculty

It was found that three institutions had no provision for procedures to be followed for the termination of a tenured faculty member. This would lead one to believe that they have not had a problem of termination in the past, or that they did not anticipate a problem, or that they wished to handle each case on an individual

basis.

Of the remaining institutions, three indicated their procedure was based on the 1958 AAUP statement for procedural standards and faculty dismissal. The remaining institutions were quite explicit in providing for some form of:

1. informal conciliation;
2. delineated prehearing procedures;
3. the designation of a hearing body, and a description of its membership;
4. the procedures for the formal hearing;
5. a statement indicating the final authority of the institution; and
6. specific time spans for notification, dissatisfaction, and appeal.

Of the nine institutions with stated procedures for the termination of tenured faculty, eight cited the Board of Trustees as the final authority to which a faculty member could appeal a termination decision. At one institution the governing board invested said authority in the President of the college. Only two institutions recognized or acknowledged the right of the aggrieved faculty member to take his case through the civil court system.

Provisions for Termination of Faculty Members for Financial Exigencies

Of the twelve institutions, four, or 33 percent, made no provisions for the dismissal of a tenured faculty member due to financial exigencies. Of the eight institutions which did make provision,

three indicated that they would make the statistical information available to the faculty and would demonstrate the basis for decisions relative to individual faculty members. None of the faculties at the institutions visited made any strides toward forming a bargaining unit for the purpose of collective negotiations.

Staffing Policies

Of the twelve institutions, four indicated that they did not normally advertise a position when a vacancy exists on the faculty. Several of these institutions indicated that this policy may not be continued due to various governmental regulations and procedures related to equal employment opportunity and affirmative action. However, there was no distinct policy change to move in the opposite direction.

All institutions indicated that there has been a significant increase in the number of applications for positions which are advertised. Supporting data was not available.

Only one institution indicated that there had been a significant change in its tenure policy as a direct result of the changes in the labor market. There were no statistics or institutional documents to support this position, however.

There were three institutions which indicated that they have operated at a deficit sometime during the last ten years. The other nine institutions were most explicit in indicating that Board of Trustee policy prohibited an unbalanced budget; therefore, some form of budget adjustment was required prior to the end of a given fiscal

year. In addition, six institutions indicated that future deficit years would require major program changes and perhaps a change in the mission and character of the institution. Only three institutions indicated that there would not be a change in the program. These institutions inferred some other alternative would be selected in balancing the institutional budget.

Policy Changes

Table 4, which illustrates the various years in which major changes occurred in institutional tenure policy, is heavily skewed to the right or the last year of the study parameter. It is further noted that major changes in the institutional tenure policies did not begin to occur until the academic year 1970 to 1971.

Institution A's major change in 1970 was an increasing obligation on the part of the individual being considered for tenure in accepting the premise for the existence of the institution. This took form in the requirement of a paper on the relationship of the individual's discipline and the governing doctrine of the institution. Additional changes were the inclusion in 1970 of a stated appeal procedure or provisions for faculty members who had tenure and had their employment terminated.

Institution B has had the same stated policy on tenure since 1964, but has modified the policy in several ways. In 1970, the candidate received closer scrutiny, and more refinements were interjected into the evaluation process. However, the probability of one gaining tenure remained reasonably certain. In 1972, however,

TABLE 4
 YEARS IN WHICH A MAJOR CHANGE OCCURRED
 IN AN INSTITUTION'S TENURE POLICY

Insti- tu- tions	1964	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
A	X	.	.	.	X
B	X	.	X	.	.
C	X
D	X	.	.	X	.	.	X
E	X	.	.	.	X
F	X	.	.
G	X
H	.	.	X	.	.	.	.	.	.	.	X
I ^a	X	.	.
J	.	.	X	.	X	.	.	.	.	.	X
K	X	.	.	.	X
L ^b	X

^aInformation on early tenure policies not applicable.

^bInformation on early tenure policies not available.

Institution B established a stated policy that only full-time members of the faculty could receive tenure and that exceptions to institutional policy would be extremely rare. In addition, in 1972, the Board of Trustees required the full seven years probationary service before the awarding of tenure.

Institution C, from 1964 through the academic year 1972 to 1973, had an extremely general statement with very little emphasis or importance placed on the concept of tenure regulations or procedures. It was generally admitted by the administrators that tenure was automatic. In the academic year 1973 to 1974, however, there was a detailed procedure for the awarding of tenure via committee considerations of faculty, student, department chairman, division head, and Academic Dean evaluations. There was also a stated and rather elaborate appeal procedure. Further, specific standards for the notice of reappointment have been instituted.

At Institution D, from 1964 through 1968, tenure was all but automatic and no consideration was given to the need for having tenure procedures defined in faculty policy. However, in the years between 1968 and 1973, procedures were more adequately defined, clearly stated, and the Dean of the institution became a record-keeper in terms of the collection of evaluation data. In 1973 to 1974, Institution D developed a specific, detailed tenure policy with much emphasis on due process. Also included were specific dates and procedures to be followed for renotification and reappointment.

Institution E had the same basic policy for the awarding of tenure from 1964 through 1970. While there were specific years of

probationary service required for the given academic ranks and while there was a faculty appeal procedure understood, detailed steps and procedures for the acquisition of tenure or detailed steps to be followed in an appeal were not specifically stated but rather held closely and interpreted individually for each tenure case by the administration. The only change to occur in 1974 was an increase in the number of years probationary service required. Otherwise, the institution remained somewhat autocratic and pragmatic in its interpretation and awarding of tenure.

Institution F was one of the most interesting institutions of the study group. It had no tenure policy prior to 1964 or from 1964 to 1972. There was a simple endorsement of the 1940 Statement of AAUP Principles. The institution never felt there was a need to have a tenure statement or policy. In 1972, however, the institution developed and acquired one of the most detailed, complex, and comprehensive policies and procedures on tenure. It was a model for all institutions as it approached the concept of tenure in a business-like manner. A most interesting feature was that each year, all faculty members that did not have tenure were evaluated and the question was asked: "Would that person be granted tenure this year if he was eligible?" If the answer was "no," the individual faculty member and the chairman had to work cooperatively to overcome the difficulties. Hence, it seemed obvious that there could not be any surprises if an individual were not awarded tenure should the deficiencies not be corrected.

Tenure policies and procedures at Institution G did not change

until 1966, and in fact, from 1964 to 1966 were extremely casual and general. In 1966, there was a statement by the institution that it had adopted the 1958 AAUP General Statement on Tenure Policies and Procedures, which is still in effect. The only change that occurred in 1974 was that a rehearing procedure was available if five members of the Faculty Administrative Executive Committee believed that a cause for rehearing was in order.

Institution H, from 1964 through 1966, in a de facto sense accepted the 1940 Statement of the AAUP. In 1966, there was the inclusion of evaluation requirements prior to the awarding of tenure to an individual. In 1974, however, major changes did occur, and the probationary period was reduced to five years from the previous seven. Individual faculty who were not awarded tenure could be given an additional year's probation to work out deficiencies and professional growth requirements with the department chairman. Also, there has been an inclusion or a position of policy that no department would have more than 70 percent of its faculty tenured. More innovative, however, was that Institution H instituted the concept that should there not be a tenured position available, the individual faculty member involved would be eligible for a three-year renewable contract. The institution was quite aware that this did not set well with the American Association of University Professors. It was, however, a position with which they intended to remain firm.

Institution I has only had one major tenure policy and that was the result of extensive faculty/administrative cooperation. The institution was not in existence prior to 1966. It should be stated

that the policy adopted by the institution was one of complete, detailed, explicit steps and procedures for the awarding of tenure and the termination of tenure appointments. It provided for specifics relative to hearings and conciliatory measures that may be undertaken in the resolution of difficulties. There was no difficulty in understanding Institution I's tenure policy.

Institution J, from 1964 to 1968, had a basic statement of tenure that was one of extreme generalities and based on the understanding and goodwill of professionals working together. Tenure was available through 1966 after three years probationary service. In 1966, the probationary service period was raised to five years and remained there through 1974. The major change that occurred in Institution J's policy in 1968 was increased faculty involvement in the tenure process and the availability to appeal a negative decision to a faculty committee.

Institution K, from 1964 through 1970, had extremely general policies on tenure and felt no compulsion or need to spell out the specific steps or procedures followed. In 1974, there was the inclusion that the institution would follow the AAUP guidelines in promotions, tenure, and dismissal. In 1974, however, the institution added a mandatory retirement age with employment after that age being an exception rather than the standard practice heretofore accepted. There was also a statement in the tenure policy that every effort would be made to recycle or retrain faculty members should a tenured faculty member find his position in jeopardy due to economic or programmatic changes.

Policies at Institution L prior to the 1974 statement were not available. The administrator did acknowledge that the 1974 tenure policy was new in 1974. The major change in 1974 over a general statement of concept and procedures for the acquisition of tenure was that the administration, through a council made up of students, faculty, and administration, could recommend a term contract which was renewable for an indefinite period depending on the needs of the university and would have no relationship whatsoever to the granting of tenure to this particular faculty member involved.

In summary, it would be correct to say that institutional policies came to a higher level of refinement and delineation in the latter years covered by this study. Interviews with administrators and a review of existing institutional documents revealed that the study population felt no particular need or compulsion to put into writing the procedures or steps followed by a given institution in the evaluation process prior to the awarding of tenure or the technical process followed in the awarding or acquisition of tenure. This appeared to have changed in the late 1960s and early 1970s, and institutional policies became more complex, comprehensive, detailed, and encompassing relative to the rights and privileges of the faculty member and the responsibilities, rights, and obligations of the institution and its appointed representatives (administration).

In examining the latest tenure policies, one would find many areas of similarity and many areas of innovative thinking. It appears there has been an effort on the part of most institutions to involve faculty in the implementation and development of tenure policies, in a

cooperative spirit, in an attempt to understand the panorama of the total institution. It must be pointed out, however, that even with great strides in the cooperative direction, all institutions clearly stated that final authority for any policy change or policy implementation rested with the governing boards.

Of the institutions in the study group, 92 percent have had some form of tenure policy in effect since 1964. Table 5 places each institution's policy for a given segment of years into one of four categories.

TABLE 5

TYPE OF STATED INSTITUTIONAL POLICY ON TENURE
AND YEARS IT WAS IN EFFECT

Institution	No Policy	Minimum Policy	Shallow Policy	Detailed Policy
A	Fall 1964 to Spring 1970	Fall 1970 to Spring 1974
B	Fall 1964 to Spring 1974	..
C	..	Fall 1964 to Spring 1974	..	..
D	..	Fall 1964 to Spring 1968	Fall 1968 to Spring 1974	Fall 1974 to Present
E	Fall 1964 to Spring 1970	Fall 1970 to Spring 1974
F	Fall 1964 to Spring 1972	..	..	Fall 1972 to Spring 1974
G	..	Fall 1964 to Spring 1966	Fall 1966 to Spring 1974	Fall 1974 to Present
H	..	Fall 1964 to Spring 1968	Fall 1968 to Spring 1974	Fall 1974 to Present

TABLE 5--Continued

Institution	No Policy	Minimum Policy	Shallow Policy	Detailed Policy
I ^a	Fall 1966 to Spring 1972	Fall 1972 to Spring 1974
J	..	Fall 1964 to Spring 1968	Fall 1968 to Spring 1974	..
K	..	Fall 1964 to Spring 1970	Fall 1970 to Spring 1974	Fall 1974 to Present
L ^a	Fall 1974 to Present	..

^aInformation on early tenure policies not available.

CHAPTER IV

ANALYSIS OF POLICY CHANGES

As was stated in Chapter III, changes or refinements in the tenure policies of the institutions covered in this study generally did not occur until the academic year 1970 to 1971. Even then the changes were for the most part associated with wording and the inclusion of a broader base of participation in the decision-making process. The information gathered in the following tables represents the willingness of the participating institutions to share data or frequently the lack of records relative to tenure and tenure policy changes. The data were organized into the following major categories:

1. the percentage of faculty at the various academic ranks,
2. the percentage of faculty with tenure,
3. the percentage of faculty with tenure at the various academic ranks,
4. percentage of faculty awarded tenure of those faculty eligible for tenure,
5. institutional enrollment patterns, and
6. average salaries of institutions by faculty rank.

As a result of an extensive review of literature related to tenure and inferences gathered during campus interviews, it was

perceived that institutions operating in a sound business manner would initiate policy changes whenever data illustrated an impending inflexible or intolerable situation. The awarding of tenure to a faculty member was one of the more permanent contractual arrangements between a faculty member and an institution. Hence, it was hypothesized that institutional change in tenure policies would coincide with major fluctuations in the data where said fluctuations threatened the fiscal and/or academic integrity of the institution.

The percentage of a participating institution's faculty at each rank for each year of the study is listed in Table 6. The frequency of percentage groups of faculty by rank for each of the years of the study is found in Tables 7 through 10. As reported in Table 7, all reporting institutions had, by the academic year 1972 to 1973, reduced the percentage of faculty at the rank of professor to below 41 percent. It is illustrated in Table 8 that the number of faculty at the rank of associate professor had been more consistent, being below the 41 percent level at all times. The rank of assistant professor, as indicated by Table 9, experienced an enlargement in the rank, having moved from a range of 0 percent to 40 percent in the academic year 1964 to 1965 to a range of 21 percent to 60 percent in the academic year 1973 to 1974. As shown in Table 10, with the exception of two institutions, a consistent level for the percentage of staff at the rank of instructor existed. In no instance was there a major shift in frequency in Tables 7 through 10 during, before, or after the academic year 1970 to 1971. In Table 6, only one institution, Institution G, had a changing of its professorial percentage to

TABLE 6

PERCENTAGE OF FACULTY AT PROFESSORIAL RANK
1964 to 1974^a

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
A										
Professor	..	..	..	28	24	23	21	24	25	26
Associate Professor	..	..	..	14	12	13	15	15	13	13
Assistant Professor	..	..	..	19	24	25	24	27	27	27
Instructor	..	..	..	39	40	39	40	34	35	34
B										
Professor	30	26	36	31	35	32	33	33	30	31
Associate Professor	22	23	13	19	12	11	14	13	10	13
Assistant Professor	33	32	31	40	38	38	41	47	53	50
Instructor	15	19	20	10	15	19	12	7	7	6
C										
Professor	50	58	53	49	36	34	34	31	31	31

TABLE 6--Continued

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
Associate Professor	23	29	21	13	9	11	15	20	20	17
Assistant Professor	21	6	12	23	48	47	50	44	46	50
Instructor	6	7	14	15	7	8	1	5	3	2
D										
Professor	23	24	20	25	24	24	23	20	19	17
Associate Professor	37	33	34	26	31	31	30	28	31	35
Assistant Professor	27	25	29	26	29	32	33	39	33	33
Instructor	13	18	17	23	16	13	14	13	17	15
F										
Professor	..	..	..	26	26	23	22	19	20	21
Associate Professor	..	..	..	24	27	28	32	32	33	31
Assistant Professor	..	..	..	31	27	21	22	24	29	32
Instructor	..	..	..	19	20	28	14	25	18	16

TABLE 6--Continued

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
G										
Professor	41	39	34	34	36	39	42	32	30	30
Associate Professor	15	17	21	22	21	19	16	24	23	25
Assistant Professor	25	25	22	15	20	17	21	27	34	30
Instructor	19	19	23	29	23	25	21	17	13	15
H										
Professor	. .	. .	27	24	21	20	20	19	21	20
Associate Professor	. .	. .	12	18	21	22	23	28	34	35
Assistant Professor	. .	. .	39	29	39	46	48	44	39	39
Instructor	. .	. .	22	29	19	12	9	9	6	6
I										
Professor	. .	. .	9	23	18	15	8	11	13	12
Associate Professor	. .	. .	9	8	18	7	8	11	10	10
Assistant Professor	. .	. .	9	15	35	48	58	64	62	60

TABLE 6--Continued

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
Instructor	. . .	. . .	73	54	29	20	26	14	15	18
Professor	52	50	44	48	42	42	42	42	38	37
Associate Professor	17	17	24	16	18	14	18	18	21	22
Assistant Professor	19	16	22	24	27	22	27	32	29	30
Instructor	12	17	10	12	13	12	13	8	12	11
Professor	34	39	39	37	32	25	27	33	27	26
Associate Professor	24	20	25	18	26	23	22	21	20	22
Assistant Professor	17	18	18	22	28	26	27	26	28	37
Instructor	25	23	28	23	14	26	24	20	25	15

J

K

^aInstitutions E and I did not report information for publication; this information was secured from the annual report of the AAUP Committee on the Economic Status of the Profession published each summer in the AAUP Bulletin.

TABLE 7

FREQUENCY DISTRIBUTION OF INSTITUTIONS BY PERCENTAGE
OF FACULTY AT THE RANK OF PROFESSOR^a

Percentage of Faculty at Rank of Professor	1964- 1965		1965- 1966		1966- 1967		1967- 1968		1968- 1969		1969- 1970		1970- 1971		1971- 1972		1972- 1973		1973- 1974	
0 through 10	.	.	.	.	1	.	.	.	.	.	.	.	.	1	.	.	.	.	.	.
11 through 20	.	.	.	.	1	.	.	.	1	2	2	1	1	1	4	4	4	3	3	3
21 through 30	2	2	2	1	1	5	4	4	4	4	4	4	4	4	1	4	4	4	4	4
31 through 40	1	2	2	3	3	3	4	4	4	3	3	2	2	2	4	4	2	2	2	2
41 through 50	2	1	1	1	1	2	1	1	1	1	1	2	2	2	1	.	.	.	.	.
51 through 60	1	1	1	1	1	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
61 through 70	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
71 through 80	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
81 through 90	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
91 through 100	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.
Number of Institutions	6	6	6	8	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10

^aTwo institutions had no information available.

TABLE 8

FREQUENCY DISTRIBUTION OF INSTITUTIONS BY PERCENTAGE OF
FACULTY AT THE RANK OF ASSOCIATE PROFESSOR^a

Percentage of Faculty at Rank of Associate Professor	1964-	1965-	1966-	1967-	1968-	1969-	1970-	1971-	1972-	1973-	1974
	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	
0 through 10	..	..	1	1	1	1	1	..	2	1	
11 through 20	2	3	2	4	4	5	5	5	4	3	
21 through 30	3	2	4	5	4	3	3	4	4	3	
31 through 40	1	1	1	..	1	1	1	1	..	3	
41 through 50	..	..	..	..	..	..	..	..	..	..
51 through 60	..	..	..	..	..	..	..	..	..	..
61 through 70	..	..	..	..	..	..	..	..	..	..
71 through 80	..	..	..	..	..	..	..	..	..	..
81 through 90	..	..	..	..	..	..	..	..	..	..
91 through 100	..	..	..	..	..	..	..	..	..	..
Number of Institutions	6	6	8	10	10	10	10	10	10	10	10

^aTwo institutions had no information available.

TABLE 9

FREQUENCY DISTRIBUTION OF INSTITUTIONS BY PERCENTAGE OF FACULTY AT THE RANK OF ASSISTANT PROFESSOR^a

Percentage of Faculty at Rank of Assistant Professor	1964-1965		1965-1966		1966-1967		1967-1968		1968-1969		1969-1970		1970-1971		1971-1972		1972-1973		1973-1974	
	1964-1965	1965-1966	1966-1967	1967-1968	1968-1969	1969-1970	1970-1971	1971-1972	1972-1973	1973-1974	1974-1975	1975-1976	1976-1977	1977-1978	1978-1979	1979-1980	1980-1981	1981-1982	1982-1983	1983-1984
0 through 10	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
11 through 20	2	2	2	3	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
21 through 30	3	2	3	5	5	4	5	4	5	4	5	4	5	4	5	4	5	4	5	3
31 through 40	1	1	2	2	3	2	1	2	3	2	1	2	3	2	1	2	3	2	1	4
41 through 50	..	..	..	..	1	3	3	1	3	3	3	3	3	3	3	3	3	3	3	2
51 through 60	..	..	..	..	..	..	..	..	..	..	1	..	..	1	..	..	1	..	..	1
61 through 70	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	1	..	..	..
71 through 80	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
81 through 90	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
91 through 100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Number of Institutions	6	6	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10

^aTwo institutions had no information available.

TABLE 10

FREQUENCY DISTRIBUTION OF INSTITUTIONS BY PERCENTAGE
OF FACULTY AT THE RANK OF INSTRUCTOR^a

Percentage of Faculty at Rank of Instructor	1964- 1965		1965- 1966		1966- 1967		1967- 1968		1968- 1969		1969- 1970		1970- 1971		1971- 1972		1972- 1973		1973- 1974		
	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
0 through 10	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3
11 through 20	4	4	4	3	3	3	3	3	6	6	5	5	4	4	4	4	5	5	5	6	6
21 through 30	1	1	1	3	3	3	4	4	2	2	3	3	3	3	1	1	1	1	1	1	1
31 through 40	..	..	..	..	..	..	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
41 through 50	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
51 through 60	..	..	..	..	..	..	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..
61 through 70	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
71 through 80	..	..	..	1	1	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
81 through 90	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
91 through 100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Number of Institutions	6	6	6	8	8	8	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10

^aTwo institutions had no information available.

a major degree. And, that was from 42 percent in academic year 1970 to 1971 to 32 percent in 1971 to 1972 and to 30 percent in 1972 to 1973 and 1973 to 1974, respectively. It should be noted that Institution G did not have a major change in tenure policies during the times it experienced a significant decrease in the number of faculty at the rank of professor.

In Table 11 the percentage level of faculty with tenure was reported. There were consistent levels at all institutions. Institution I had the most noticeable of changes in that it was a new institution in the mid-1960s, and, therefore, did not have tenured faculty until the latter years of the study parameter. For the academic year 1973 to 1974, five of ten institutions had 50 percent or more of their respective faculties on tenure. Mayhew in Lautenschlager, in his summary of the Carnegie Commission's Report, suggested that: "'Institutions should be careful not to allow the proportion of their faculties on tenure to exceed approximately 50%.'"¹²⁷

Of the three institutions exceeding 60 percent, only one, Institution H, felt there was an urgent need to reevaluate institutional tenure policies. As was stated in Chapter III, major changes did occur, and Institution H implemented a quota system as a direct result of its climbing tenured faculty ratio.

Listed by year in Table 12 are the percent of faculty at each rank with tenure. While three institutions reported faculty with

¹²⁷E. W. Lautenschlager, "Tenure at Roanoke College: Past, Present, and Future" (unpublished report to the Faculty, Office of the Dean, Roanoke College, Fall 1974), p. 5.

TABLE 11

PERCENTAGE OF FACULTY WITH TENURE
1964-1965 THROUGH 1973-1974

Institution	1964-1965	1965-1966	1966-1967	1967-1968	1968-1969	1969-1970	1970-1971	1971-1972	1972-1973	1973-1974
A	..	..	..	51	50	50	45	48	42	41
B	67	60	..	..	..	58	67	65	61	61
C	..	..	..	..	..	..	..	..	..	63
D	55	48	45	42	51	50	50	46	48	49
E	..	..	..	..	..	..	..	..	..	..
F	..	..	..	..	..	..	53	50	50	53
G	41	42	41	44	40	39	44	42	42	49
H	..	..	39	..	..	..	45	..	58	66
I	..	..	0	0	0	11	0	17	21	26
J	67	64	63	60	52	47	54	51	51	57
K	..	59	55	59	58	47	49	54	48	49
L	..	..	..	..	..	..	..	..	..	..

TABLE 11--Continued

Insti- tution	1964-	1965-	1966-	1967-	1968-	1969-	1970-	1971-	1972-	1973-
	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
Mean	57.5	54.6	38.8	42.7	41.8	43.1	45.2	46.6	46.8	51.4

TABLE 12

PERCENTAGE OF FACULTY WITH TENURE AT PROFESSORIAL RANK
1964-1965 THROUGH 1973-1974

Institution and Rank ^a	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
A										
Professor	..	..	..	100	100	92	93	94	88	83
Associate Professor	..	..	..	100	100	100	80	80	56	56
Assistant Professor	..	..	..	63	66	71	63	66	63	63
Instructor	..	..	..	6	5	5	4	4	0	0
B										
Professor	88	87	..	..	..	100	100	100	100	100
Associate Professor	92	85	..	..	..	78	100	86	83	100
Assistant Professor	56	56	..	..	..	36	48	46	40	59
Instructor	13	0	..	..	..	0	0	0	0	0
D										
Professor	88	80	88	74	86	86	95	100	100	100

TABLE 12--Continued

Institution and Rank ^a	1964-	1965-	1966-	1967-	1968-	1969-	1970-	1971-	1972-	1973-	1974-
	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974	
Associate Professor	93	89	79	88	96	100	100	100	100	100	97
Assistant Professor	0	0	0	0	0	0	0	0	0	0	0
Instructor	0	0	0	0	0	0	0	0	0	0	0
Professor	72	63	72	63	63	63	61	65	76	81	81
Associate Professor	73	69	80	94	81	73	75	76	75	76	76
Assistant Professor	22	21	13	0	0	0	27	11	8	14	14
Instructor	0	0	0	0	0	0	0	0	0	0	0
Professor	..	..	0	0	0	75	100	75	60	60	60
Associate Professor	..	..	0	0	0	0	0	25	25	50	50
Assistant Professor	..	..	0	0	0	0	0	9	17	24	24
Instructor	..	..	0	0	0	0	0	0	0	0	0

G

I

TABLE 12--Continued

Institution and Rank ^a	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
J										
Professor	93	93	100	93	89	91	93	85	88	92
Associate Professor	88	60	64	60	58	55	66	66	86	87
Assistant Professor	30	33	23	40	28	18	28	24	20	30
Instructor	0	10	0	0	0	0	0	0	0	0
K										
Professor	. .	53	60	61	81	92	80	65	82	88
Associate Professor	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Assistant Professor	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Instructor	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .

^aInstitutions C, E, F, H, and L did not have data available or elected not to report in this area.

tenure at the rank of instructor, at one point in the study, no institution has reported similarly since the academic year 1971 to 1972. All institutions' current policies have required the attainment of the assistant professor rank before tenure is awarded. Obviously, Institution D required the attainment of associate professor rank prior to the granting of tenure.

The percentage of faculty at the rank of professor and associate professor, as shown in Table 6, and the percentage of faculty with tenure at the same ranks, as shown in Table 12, are inversely related. Hence, Woodring's claim in Chapter II that the tenured ranks are held by a small number, thereby forming an exclusive club, is supported.

Reflected in Table 13 is the percentage of faculty eligible for tenure who were awarded tenure during each of the academic years between 1964 to 1965 and 1973 to 1974. The digit "0" means there were no candidates for tenure for that particular year. Institutions C, E, H, K, and L did not wish to make this information available or did not have records providing this information.

Institutions A and B definitely stated they did not have automatic tenure. Institutions B, F, G, and I indicated they felt much of the tenure awarding process was in the faculty hiring process and that one hired a faculty member with the idea that the individual would meet tenure requirements as one of the selection criteria. Institution J stated that they did have a semiautomatic tenure process until major changes occurred in 1973 to 1974. It was at that point that the administrator felt the institution began making a more

TABLE 13

PERCENTAGE OF FACULTY AWARDED TENURE OF THOSE FACULTY
ELIGIBLE FOR TENURE 1964-1965 THROUGH 1973-1974

Institution	1964-1965	1965-1966	1966-1967	1967-1968	1968-1969	1969-1970	1970-1971	1971-1972	1972-1973	1973-1974
A	0	0	0	0	100	100	100	100	0	0
B	0	100	100	0	0	100	100	100	100	100
C	..	..	..	..	..	..	..	..	..	..
D	..	..	..	..	..	..	..	..	56	43
E	..	..	..	..	..	..	..	..	..	..
F	..	..	..	..	..	..	..	100	100	100
G	53	33	100	0	100	100	67	67	100	60
H	..	..	..	..	..	..	..	..	..	..
I	..	..	0	0	0	100	0	50	50	75
J	50	67	100	100	50	67	0	100	100	44
K	100	..	..	..	..	..	..	..	..	..
L	..	..	..	..	..	..	..	..	..	..

critical, comprehensive, and in-depth evaluation of all candidates for tenure. The administrator commented, however, that this was not necessarily the reason for the low percentage of tenure awarded in the academic year 1973 to 1974.

Illustrated in Table 14 is the growth, decrease, or status quo of an institution's enrollment from the year 1965 through the year 1974. Institution I had a significant increase in student population because it had just opened and was beginning its growth into a full four-year institution. Institutions D, F, and J had a similar pattern of growth, noticeably on the increase in the early part of the 1960s and then leveling off or decreasing in the late 1960s and early 1970s. Institutions A, F, G, and K had the least change in their student population over the years. From the period 1971 through 1974, only one institution, B, has shown a significant increase in student population. Institutions I and A have shown a status quo situation while all other institutions, D, F, G, J, and K, have shown a net loss of students during this period.

Institutional Policy Change as Related
to Institutional Data

As was stated in Chapter III, Institution A--during the ten-year period 1964 to 1974--exercised a major change in its tenure policy in the year 1970. At that time, significant changes were made to allow for appeal procedures and provisions for faculty members who had been denied tenure and the inclusion of a requirement of a paper on the relationship of the individual's discipline and the governing doctrine of the institution. As illustrated in Table 11, Institution A

TABLE 14

INSTITUTIONAL ENROLLMENT PATTERNS, PERCENT OF GROWTH
DECREASE OR STATUS QUO 1964-1965 THROUGH 1973-1974^a

Institution	1964-1965	1965-1966	1966-1967	1967-1968	1968-1969	1969-1970	1970-1971	1971-1972	1972-1973	1973-1974
A	0	0	0	0	+6	+7	+3	+2	-6	+4
B	..	+5	-2	+3	-5	-5	-3	-1	+14	..
C ^b
D	..	+19	+10	+7	-1	+5	+5	+4	0	-8
E ^b
F	..	+13	+3	0	0	0	+2	-1	0	-4
G	..	+1	+1	+2	+1	+1	+3	+1	-1	-6
H ^b
I	+107	+81	+71	+30	0	0	0
J	..	+14	-4	+9	+6	-7	-5	-2	+6	-1
K	+1	-1	+2	-1	+2	+4	-2	-6

TABLE 14--Continued

Insti- tution	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
L ^b

^a0 = status quo; + = increase over previous year; - = decrease from previous year.

^bInstitutions C, E, H, and L did not have this information available or elected not to report it.

did begin, from the year 1970, on a downward trend in the percentage of faculty with tenure. Likewise, it was found in Table 12, when broken down by the appropriate rank, the percentages of faculty with tenure at each of the ranks decreased through the end of the study parameter. As a result of conversations with college administrators at Institution A, it can be interpreted that it was at this time (1970) in the institution's history that serious attention was given to the tenure situation. There was no indication on Table 14 or Table 15 that enrollment patterns or salary increases directly affected tenure policy or were responsible for changed tenure policy.

There is no evidence in Tables 6, 11, or 14 that there is a relationship between the information contained therein and the changes in Institution B's tenure policies. The administration at Institution B stressed that all faculty were hired with the premise that they would be awarded tenure once they became eligible. If an applicant did not pass this criteria, he was not offered a position. This administrative policy at Institution B is illustrated in Table 13. Likewise, Table 12 indicated an increase in the numbers of faculty at the rank of professor and associate professor since the year 1969 to 1970, while Table 15 illustrated a major increase in salary range for the position of professor from 1969 to 1970 as compared to 1968 to 1969. Once Institution B elected to make its tenure policies more definitive, they did feel an obligation to financially reward those individuals who achieved the highest professional rank.

Institution C provided this study with very little data, either because their records were incomplete or the institution did not wish

TABLE 15

AVERAGE SALARIES AT INSTITUTIONS BY RANK
 1964-1965 THROUGH 1973-1974^a
 (IN THOUSANDS OF DOLLARS)

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
A										
Professor	..	..	..	..	..	..	9.8	10.4	11.6	12.5
Associate Professor	..	..	..	..	..	..	8.7	9.5	10.0	10.9
Assistant Professor	..	..	..	..	..	..	8.4	8.8	9.3	9.9
Instructor	..	..	..	..	..	..	7.7	8.2	8.4	9.4
B										
Professor	9.7	10.0	10.3	10.6	10.9	14.3	15.1	15.6	16.5	16.9
Associate Professor	7.8	8.1	9.6	10.0	10.4	10.9	12.0	12.4	..	13.2
Assistant Professor	7.1	7.4	7.8	8.2	8.5	9.0	10.1	10.7	11.2	11.8
Instructor	6.8	7.1	6.9	7.3	8.3	8.7	..	..	..	..
C										
Professor	9.7	10.0	10.3	10.6	10.9	14.3	15.5	16.1	16.8	18.0

TABLE 15--Continued

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
Associate Professor	7.8	9.3	9.6	10.0	10.4	12.5	13.5	14.3	15.0	15.9
Assistant Professor	7.1	8.4	8.8	8.2	8.5	10.0	11.4	12.1	13.0	13.4
Instructor	6.8	6.0	7.5	7.3	8.3	8.7	. .	. .	. .	. .
D										
Professor	11.8	12.3	12.7	13.1	14.0	14.3	18.8	19.7	20.3	21.5
Associate Professor	10.4	10.8	11.1	11.5	11.9	12.5	14.6	15.9	16.4	17.2
Assistant Professor	8.0	8.4	8.8	10.2	10.7	11.2	12.5	12.8	13.0	13.4
Instructor	6.8	7.1	7.5	7.9	8.3	8.7	10.2	10.8	11.0	11.4
F										
Professor	. .	. .	. .	13.1	13.6	14.3	17.7	19.0	20.2	21.6
Associate Professor	. .	. .	. .	10.0	11.9	12.5	14.1	14.9	15.4	17.4
Assistant Professor	. .	. .	. .	9.1	10.7	11.2	12.3	12.9	13.3	14.0
Instructor	. .	. .	. .	7.9	8.3	8.7	10.0	10.4	10.8	11.1

TABLE 15--Continued

Institution and Rank	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
G										
Professor	11.8	12.3	12.7	13.1	13.6	14.3	16.9	17.8	18.8	19.2
Associate Professor	9.0	9.3	9.6	10.0	11.9	12.5	13.9	14.5	15.0	15.7
Assistant Professor	8.0	8.4	8.8	9.1	9.5	10.0	11.4	11.3	11.8	12.1
Instructor	6.8	7.1	7.5	7.9	8.3	8.7	9.4	9.6	10.1	9.7
H										
Professor	. . . .	. . . .	10.3	10.6	13.6	14.3	16.6	17.4	18.4	19.4
Associate Professor	. . . .	. . . .	8.4	8.7	10.4	10.9	12.4	13.2	13.6	14.3
Assistant Professor	. . . .	. . . .	7.8	8.2	9.5	10.0	11.6	12.0	12.4	12.7
Instructor	. . . .	. . . .	6.9	7.3	8.3	8.7	9.7	10.1	. . . .	. . . .
I										
Professor	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Associate Professor	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .
Assistant Professor	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	. . . .	12.9	. . . .

TABLE 15--Continued

Institution and Rank	1964-	1965-	1966-	1967-	1968-	1969-	1970-	1971-	1972-	1973-
	1965	1966	1967	1968	1969	1970	1971	1972	1973	1974
Instructor	..	..	..	..	..	..	..	..	..	..
Professor	9.7	10.0	10.3	10.6	10.9	11.5	13.9	14.8	15.8	16.7
Associate Professor	7.8	8.1	8.4	8.7	9.0	10.9	12.0	12.6	13.4	14.2
Assistant Professor	7.1	7.4	7.8	8.2	8.5	9.0	10.4	10.8	11.6	12.7
Instructor	6.2	6.5	6.3	6.7	7.1	8.1	..	..	10.1	11.0
Professor	9.7	10.0	10.3	13.1	13.6	14.3	16.1	15.9	17.0	18.0
Associate Professor	9.0	9.3	9.6	11.5	11.9	12.5	14.1	14.0	14.8	15.3
Assistant Professor	8.0	8.4	8.8	10.2	10.7	11.2	11.7	11.7	12.1	12.7
Instructor	6.2	7.1	7.5	7.9	9.0	8.7	9.1	9.4	10.1	11.5

^aThis information was secured from the annual report of the AAUP Committee on the Economic Status of the Profession published each summer in the AAUP Bulletin. Institutions E and L did not report information for publication.

to share it with the study group. Institution C's pattern of rank distribution remains somewhat constant throughout the ten-year period, and their average salaries at the institution did show a marked increase for the year 1969 to 1970. Since it was not until 1974 that the institution actually became involved in a detailed statement on tenure policies or explanations thereof, it cannot be interpreted that the changes in salary had any bearing on tenure policy changes.

Institution D, as illustrated by Tables 6, 11, 12, and 14, had a rather consistent pattern of development for most of the years of the study parameter. Table 14, 1973 to 1974, showed a marked decrease in student enrollment; and Table 15, 1970 to 1971, showed a marked increase in salary averages. The administration purported, but did not substantiate, that in 1974, when the major change in tenure policy became effective, that being: "Tenured faculty shall not exceed limits which in the opinion of the Board of Trustees preserves academic and fiscal flexibility. . . .",¹²⁸ the decrease in enrollment gave the institution some concern for its percentage of faculty that were on tenure or were headed toward tenure. The Dean also intimated that with the significant increase in financial remuneration for faculty services, the governing board felt obligated to take a more serious approach in the awarding of tenure.

The information available on a data base for Institution E was so thin and minimal that there was no possibility whatsoever of

¹²⁸ Taken from an intrainstitutional position paper on tenure. The college is not identified to protect the request for anonymity.

relating or correlating changes in tenure policy with data change. It might be stressed that the administration's point of view is one that tenure is a concept and a process controlled exclusively by the governing board with advice and direction from the chief administrative officer.

Institution F first instituted a policy on tenure in 1972. Data gathered in Table 15 indicated there was a major increase in average salaries for the rank of professor in 1971 to 1972 from those of 1970 to 1971. Also, from 1971 to 1972, Table 14 showed a net loss in student enrollment of 5 percent. There was, however, no indication that these changes were directly related to the implementation of a tenure policy. Table 13, with information available from 1971 to 1972, illustrated that 100 percent of all those eligible for tenure were granted tenure. Such data supported the institution's philosophy that each and every applicant was measured and evaluated during each academic year in relation to the question: "If this person were eligible for tenure this year, would he be awarded tenure?" and if the answer was no, the institution required that the faculty member and his supervisor/department chairman work to correct any deficiencies. Should they not be corrected by the following year, the faculty member was dismissed. Hence, all faculty eligible for tenure (if the process had been working) would be awarded tenure in the year in which they were eligible.

Institution G, by the data collected in Tables 6, 11, 12, 13, and 14, has had a rather consistent growth and developmental pattern during the years covered in the study. Table 14 did show in the last

four years a net loss of students of 3 percent. A major change in institutional salary averages between 1969 to 1970 and 1970 to 1971 was illustrated for Institution G in Table 15. The administration stated that it was not the governing board or the administration itself that requested reevaluation of tenure policies, but rather faculty who were concerned with definitive economic trends across the country.

Institution H, in Table 15, is recorded as having an up-swing in the salary averages for faculty at the various ranks between 1969 to 1970 and 1970 to 1971. Institution H otherwise did not provide a sufficient amount of data to determine if there were relationships other than those with salary schedules. An internal study on tenure alerted the administration in Institution H to an increasing percentage of the faculty to be tenured in the next decade (1974 to 1984). Hence, Institution H's governing board adopted a quota system. Institution H is the only institution to have done so. Based on statements by the administration and faculty representatives, the quota/contract approach was adopted by the governing board so as to allow continued academic flexibility in providing growth opportunities for young graduates with advanced degrees.

Institution I was the youngest institution of the group in the study population with only one major policy on tenure having been developed in its short existence. There was no indication that any of the data gathered in Tables 6 through 15 had a relationship to said policy. The administration stated that concerns over tenure policy and implementation of tenure policy were a result of faculty concern

and interest in a growing nationwide attention to tenure policies.

Institution J did acknowledge that the administration was concerned about its percentage of faculty on tenure. As demonstrated in Table 11, that level reached 67 percent in 1964 to 1965. In 1966, by changing the awarding of tenure to only those who had achieved five years of service rather than the previously required three years of service, the institution was able to begin a downward trend in the total percentage of faculty on tenure. This was evidenced in Table 11. The administration also acknowledged that a recent downturn in student enrollment (Table 14 showed a net loss of 9 percent between 1969 to 1970 and 1973 to 1974) did bring about major concerns on the campus which led to more faculty involvement in the awarding of tenure and, hence, a sharing of the decision-making and responsibility as well as the freedom they desired to continually seek new talent coming from the various graduate schools.

Institution K had a very general policy on tenure and felt no compulsion or need to state specific steps or procedures to be followed in the awarding of same prior to 1970. In 1970, however, specific steps were established, and it was understood that they would follow the AAUP guidelines in promotion, tenure, and dismissal. Table 11 showed that Institution K decreased its overall percentage of faculty with tenure from 59 percent in 1964 to 49 percent in 1974. There is no other evidence that the data collected can be correlated with policy changes at Institution K.

Institution L did not permit a visitation to the campus. Neither did they provide sufficient information or data to draw

conclusions as to the rationale behind changes in policy.

Summary

In reviewing the data collected, Tables 6 through 15, it would be correct to state that no institution had a major change in tenure policy as a direct result of fluctuations in any one or a combination of the items surveyed. While the administrations at the various institutions in the study stated or inferred that there was a total picture which brought about policy discussion, policy evaluation, policy change, and policy implementation on a new base, there was no statistical evidence to support that inference. No institution was willing or able to offer records or minutes of the governing boards at a given time in history relative to consideration of tenure policies. Overall, there seemed to have been a general surge of interest in tenure and tenure policies based on national happenings and information recorded in professional journals relative to the attacks on tenure and the undermining of tenure in other parts of the country.

While one might wish to surmise that changes in tenure policy occurred because of increased averages in institutional salaries or major thrusts in enrollment patterns or an awareness that a large number of people eligible for tenure were automatically being granted tenure or that the percentage of faculty at an institution with tenure was on a major increase, such was not possible based on the data collected in this study sample. The data, on the contrary, revealed a smooth, consistent operation with an occasional major fluctuation in one or the other of the given categories. Hence, if one were to look

for major or significant explanations as to the adoption of policy changes, one would have to look at the more intangible social or economic changes of order on a larger scale rather than at the isolated settings of the institutional campuses.

CHAPTER V

SUMMARY, FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS FOR FURTHER STUDY

Introduction

The purpose of this study was to describe the tenure policies at the private institutions of higher education in the Commonwealth of Virginia from 1964 to 1974. Changes in these policies were described and, if possible, the determination of relationships for such changes were to be examined.

The study was limited to all regionally accredited four-year private institutions of higher education in the Commonwealth of Virginia. The years surveyed were 1964 to 1974. Regional accreditation was required of the institutions as of September 1, 1973, for their inclusion in the study. The writer used regional accreditation as a base requirement because of its cloak of general academic acceptance and credibility.

The study population included twelve of the nineteen institutions of the total population. There were six institutions that elected not to participate in the study and one ceased to be in operation shortly after the study was under way.

The chief administrative officer of each institution was sent a letter in which the objectives of the research were outlined and

support for the study was requested. Those institutions responding positively were asked to indicate who would be responsible for that institution's role in the study. Interviews were then arranged with the designated personnel. (Note that two institutions did not permit a campus visitation.)

The personal interview was conducted with the Faculty Chairman of the Rank, Promotion, and Tenure Committee (or similar group) and the Academic Vice-President/Dean. At three of the institutions, the Academic Vice-President/Dean held both positions.

The interview technique rather than a questionnaire was selected in that it was felt that verbal responses would permit the interviewee to answer questions more fully and thus eliminate the restrictions encountered with mailed questionnaires. Each of the respondents was asked identical questions in a predetermined order. Prior to the campus visitation, the writer had received a copy of the institution's current tenure policies. The institutional data sheet, which was included in the original letter of request, was either completed by the institution prior to the campus visit or left with the Vice-President or Dean and returned to the writer at the institution's discretion.

All interviews were recorded and in turn transcribed for a permanent record base. From the outset of correspondence with, to the visitation and interviewing of the individual participants, they were continually assured of the confidentiality of their responses.

The institutional data sheet was constructed so as to provide a picture of an institution's academic personnel over a ten-year

period. The information sought for each academic year, 1964 to 1965 through 1973 to 1974, was:

1. the total number of teaching faculty, full-time and part-time;
2. the total number of teaching faculty with tenure, full-time and part-time;
3. the total number of teaching faculty at each rank and the number at the respective ranks with tenure;
4. the number of teaching faculty eligible for tenure;
5. the number of teaching faculty granted tenure;
6. the number of teaching faculty with tenure released;
7. the tuition charge at the institution;
8. the full-time equivalent enrollment of each institution; and
9. the percent of increase in institutional income and an indication as to whether or not a surplus or a deficit existed for each of the years.

The data were presented in table form illustrating the specifics for each year of the study. The data collected for items 7 and 9 were insufficient for tabulation.

Where appropriate, the institutions provided the researcher with policy statements, faculty handbooks, and position papers. These were used as a factual basis in the verification of official policy change. The material and information gathered were scanned and reviewed to determine similarities, differences, innovations, trends, or patterns among the various institutions relative to the concept of

tenure.

Summary

In the Review of Literature, Chapter II, it was found that a broad range of criticism existed relative to tenure policies at institutions of higher education across the country. Suggestions for the eradication of, modification of, or substitution for tenure also existed. The Subjective Literature on Academic Tenure was profuse and unending. It was often the case that this area of literature was substantiated with nothing more than individual experiences and expertise in a given area of academic preparation. Research Related to Academic Tenure was minimal with the most significant volume having been the book, Faculty Tenure, more commonly known as the Keast Commission or the Keast Report. While both areas of literature stressed that tenure was firmly entrenched as part of the higher educational scene, authorities on the subject were recognizing more frequently that tenure was under significant strains and could well be undermined, if not radically changed or transformed, in the decades immediately ahead. Social forces and pressures existed to the degree that what was once taken as commonplace could no longer be considered so and that explanations or rationales for any given policy smacking of elitism or autocracy would require a defense. Most of the literature about tenure cemented its relationship with the concept of academic freedom. It has been considered by most people in higher education that academic freedom could not exist without tenure or some other form of job security.

In an overview, the Review of Literature demonstrated that much of the criticism relative to current tenure policies was coming from administrations which felt hampered by an expanding concern for being "tenured-in" and by the recent graduates holding advanced degrees who felt there was little, if any, opportunity in higher education until a professional died or retired. Hence, as Dressel found, there appeared to be a conflict between the haves and the have-nots.¹²⁹

The findings of Chapter III, Description of Policies and Policy Changes, are summarized as follows:

1. All institutions studied recognized the concept of tenure and in some way, formally or informally, granted and acknowledged tenure to its faculty.

2. All institutions had a firm commitment to the concept that they were governed and controlled by the Board of Trustees and that the Board of Trustees was the final authority in the granting of tenure.

3. The procedures related to the acquisition of tenure varied from institution to institution. Usually, it followed the AAUP Guidelines. The number of years required for service at an institution ranged from five to seven. The number of years allowed as transfer for credit for service from previous employment ranged from one to seven, with those allowing seven having it understood same was negotiated prior to employment.

4. Of the institutions studied, 33 percent had a formal policy on recognizing a leave of absence as part of the service

¹²⁹Paul L. Dressel and William H. Farley, Return to Responsibility (Washington, D. C.: Jossey-Bass Inc., Publishers, 1972), p. 192.

requirement for the awarding of tenure. It was not recognized.

5. The criteria used in the evaluation of a professional prior to the awarding of tenure were as varied as the number of institutions involved.

6. The procedure for the acquisition of tenure varied from institution to institution, but in most cases required faculty evaluation by peers, supervisors, and administration. It was not uncommon for the faculty member to maintain what is known as a personal/professional file to be submitted to the reviewing body prior to the awarding of tenure.

7. Policy changes which occurred from 1964 to 1965 through 1973 to 1974 were basically related to the addition of more persons in the decision-making process. Several institutions developed policies on tenure during this time where, heretofore, formal statements of tenure did not exist. An expansion of the tenure policies at several institutions also included extensive provisions for due process, either in the awarding of tenure, a negative decision on tenure, or the release of tenured faculty members for cause.

8. Appeal procedures for faculty members not granted tenure were not common and the acknowledgement that faculty members could take their position to the public court system was rarely considered as an option.

9. The criteria used for the termination of faculty with tenure were broad, cumbersome, wordy, and frequently without substance.

10. It was a rare instance that faculty members with tenure were released from their positions at the institutions studied.

11. Procedures for the termination of tenured faculty were as many as the institutions studied.

12. Financial exigency was recognized by all participating institutions as a cause for the release of tenured faculty but had never been used as a reason for the dismissal of a faculty member.

13. While several institutions indicated they did not have automatic tenure, it was not discernable that same did not exist.

The findings of Chapter IV, Analysis of Policy Changes, are summarized as follows:

1. The data furnished by the institutions on the institutional data sheet provided little insight as to changes that occurred relative to the rank distribution of faculty members and salary distribution of faculty members, and institutional growth patterns.

2. The percentage of faculty at any given professorial rank varied little during the 1964 to 1965 through 1973 to 1974 period. The institution showing the most significant changes was the one which was relatively new and hence obviously had to have major modifications from time to time as it developed maturity. It did not have a major shift or change during, before, or after the academic year 1970 to 1971.

3. It was rare for a faculty member at the rank of Instructor to have been awarded tenure.

4. There did not appear to be any basis on which to assume that policy changes occurred as a result of the institutional data available relative to student enrollments, faculty rank distributions, and faculty salaries.

5. While administrations at the various institutions participating in the study stated or inferred that there was a total institutional picture which brought about policy discussion, policy evaluation, policy change, and policy implementation, there was no statistical evidence to support their statements.

6. No institution was willing or able to offer records or minutes of the governing boards for specific times in history relative to their respective considerations of tenure policies.

7. The general, current, and pressing concern over tenure appeared to be associated with national happenings and information available in professional journals relative to the attacks on tenure and the undermining of tenure in other situations.

8. Intangible factors seem to have had a greater bearing on tenure policy change than tangible factors.

Conclusions

The Review of Literature, information gathered during visitations to campuses, and the interviews conducted thereon, and the evaluation of the data collected dictated the following conclusions:

1. The institutions participating in the study seemed to be oversensitive about their independence to a point of overprotection of their internal activities and to the preference for isolationism rather than collective problem-solving.

2. The majority of faculty interviewed had little or no concept of the major problems of the day in higher education and projected the feeling they believed external forces would not invade

their respective college campuses.

3. Tenure is in the forefront of current issues being discussed by administration in private higher education in Virginia.

4. Tenure did not seem to be a serious problem to the faculty in the institutions studied until approximately 1971 to 1972.

5. Tenure was awarded automatically in the institutions studied until the academic year 1970 to 1971.

6. Tenure policies were changed significantly in private higher education in 1972 to 1974. The most noticeable change was the inclusion of or expansion of faculty participation in the tenure decision-making process.

7. The second most important modification of tenure policies was the consideration and inclusion of concern for due process.

8. With few noticeable exceptions, the administrations of private higher education institutions exercised extensive authority in tenure procedures and processes.

9. Records of tenure decisions at the institutions were inadequate, if available at all, until the latter part of the 1960s.

10. The evaluation techniques used by the numerous institutions were considered by the administrations of same to be inadequate for use in the tenure and promotion process.

11. The release of tenured faculty is most rare with only two institutions reporting such action. One institution had released two persons during the ten-year study period, and the other institution had released one individual.

12. No institution in the study population has given consideration to the abandonment of tenure. It is intended that it be retained in some form.

13. Only two of the twelve institutions studied have taken definitive action in modifying their tenure policies.

14. Of the administrators interviewed, 30 percent believed that academic freedom could exist without tenure or some form of job security.

15. While no institution has become formally organized and recognized by the National Labor Relations Board for the purpose of collective bargaining, the seed of interest has been planted; and it is an issue being discussed and considered on all but one of the campuses visited.

16. It could not be concluded that institutional decisions to modify tenure policies were a direct result of fluctuations in the data gathered via the institutional data sheet.

17. Tenure policies and policy changes were a result of immeasurable intangible factors rather than statistics or facts related to institutional profiles.

Recommendations Related to Further Research

Tenure in whatever form it is found is a permanent part of current practices in private higher education in the Commonwealth of Virginia. In a society increasingly aware of quantification, substantiation of values or procedures will become commonplace. The worth of tenure will surely be a concept high on the list of things to face

such pressure.

With this in mind, the following recommendations related to further research are made:

1. Institutions must keep more accurate formal records dealing with tenure decisions related to individual faculty members. In like manner administrators and governing boards must maintain records relative (within the limits of the law) to the basis on which policy changes are made or paraphrase deliberations relating to the modification of procedures and evaluative techniques. Future research on tenure would then be able to deal with more significant data.

2. To assist in future tenure studies, effective evaluation procedures with full understanding of the requirements to be met for the awarding of tenure must be initiated and used by institutions of higher education. Faculty members must understand on what basis they are being evaluated prior to the awarding of tenure or any other form of merit.

3. Institutions supporting tenure should develop possible alternatives to the release of a tenured faculty member whose expertise is no longer required. Institutions should recycle faculty within a program of planned growth and planned retrenchment. Faculty should be permitted and encouraged to expand a minor area of study into an area of expertise. This should be done with financial support and encouragement from the employing institution. A future study investigating said alternatives is strongly recommended.

4. As new concepts, such as quota systems and contract appointments, are implemented, their success or failure in practice

should be studied and correlated with the maintenance and survival of academic freedom.

APPENDIX

APPENDIX A

List of colleges included in the study--all are senior private colleges and universities accredited by the Southern Association of Secondary Schools and Colleges in the Commonwealth of Virginia as of Fall 1973.

1. Eastern Mennonite College, Harrisonburg
2. Emory & Henry College, Emory
3. Hampden-Sydney College, Hampden-Sydney
4. Hollins College, Hollins College
5. Mary Baldwin College, Staunton¹³⁰
6. Randolph-Macon College, Ashland
7. Roanoke College, Salem
8. Saint Paul's College, Lawrenceville
9. Sweet Briar College, Sweet Briar
10. University of Richmond, Richmond
11. Virginia Union University, Richmond¹³¹
12. Virginia Wesleyan College, Norfolk

¹³⁰ Institution did not provide the opportunity for a campus visitation.

¹³¹ Ibid.

APPENDIX B

301 Nottingham Road
Williamsburg, Virginia 23185
August 6, 1974

_____, President

_____, Virginia

Dear President _____:

Currently a doctoral student at the College of William and Mary in Virginia, I am writing my dissertation on tenure policies in private higher education in the State of Virginia. The objective of the study is to highlight significant changes or trends over the decade 1964 to 1974 in an institution's position on tenure.

Your institution, having been accredited by the Southern Association of Secondary Schools and Colleges, is part of the study population. I am sincerely hopeful that you will consent to having your institution included in this study.

Should you respond positively I will correspond with you or your designee at a later date regarding:

1. an indication as to the preferred days of the week and time of day for me to visit your campus and meet with the Academic Vice-President or Dean of Faculty and the Faculty Chairman of your Tenure Committee.
2. permission to meet with the Business Officer and secure selected statistics regarding enrollment, staffing, institutional income, salary schedules, and copies of your annual report.
3. a copy of your current tenure policies and permission to review same for the period of 1964 to 1974 when I visit your campus.
4. the opportunity to review Faculty and Trustee minutes which are related to given changes in your tenure policies.

_____, President, page 2

In no way do I want to inconvenience your staff. My schedule is flexible and can be modified to mesh with their availability.

Please be assured your institution will be guaranteed anonymity in the study and the utmost discretion will be used in the interpretation of data. Participating institutions will receive a copy of the completed study if they so desire.

I respectfully request that you indicate your response on the enclosed form and return it at your earliest convenience.

Thank you for your response; your time and interest are appreciated.

Very truly yours,

Jack C. Van Newkirk

_____ Yes, I wish this institution to be included in the study.
To make the necessary arrangements you may feel free to
correspond with:

Name _____

Title _____

_____ No, I do not wish this institution to be included in the
study.

Remarks:

Signature: _____

Name of Institution: _____

APPENDIX C

A Proposed Interview Schedule¹³²:

- I. Definition of Tenure
 - A. What is the official definition of tenure and what are the purposes and objectives of tenure at your institution?
 - B. Is there a discrepancy between the official definition of tenure and how it is actually practiced?
- II. Acquisition of Tenure
 - A. Does your institution have an "automatic" provision for the acquisition of tenure?
 - B. What are the general criteria used to determine the granting of tenure?
 - C. What are the specific, detailed steps and procedures one is required to follow to receive tenure (recommendation for, to granting of)?
 - D. Are there appeal procedures for those faculty denied tenure? If yes, please elaborate.
- III. Termination of Tenure
 - A. What are the criteria or circumstances for terminating a faculty member's tenure? Are these criteria officially defined?
 - B. What are the procedures (and indicate whether they are official or "custom") to be followed in cases of termination of tenure appointments? How does your institution provide for or handle the following:
 1. informal conciliation

¹³²J. C. Walters, "Academic Tenure in Indiana Higher Education" (unpublished Ph.D. dissertation, Indiana University, 1971). [Source of outline structure and some question content.]

2. prehearing procedures; notification of charges, evidence, institutional witnesses, and procedures to be followed
 3. procedures for constitution of hearing body
 4. formal hearing procedures; right to be present, right to counsel, right to confrontation and cross-examination, right to witnesses, the hearing record, and burden of proof
 5. designation of decisional authority
 6. appellate procedures
- C. What procedures and criteria are used to cover tenured teaching faculty terminations because of financial exigencies?

IV. Collective Bargaining

- A. Has the faculty on your campus organized and become officially recognized by the National Labor Relations Board for the purpose of collective negotiations?
- B. If so, has tenure been considered, requested, or designated to be a negotiable item?
- C. If so, have specific alternatives to tenure been presented for consideration?
- D. If you have a formal bargaining agreement, what is the specific provision dealing with tenure?

V. Staffing

- A. When a vacancy exists on the teaching faculty, is the position advertised?
- B. If so, in the past ten years has there been a significant change in the number of applications received for a vacant position?
- C. If the change has been an increase, at what point in time was the change most noticeable and has there been any reevaluation of tenure policies at your institution as a direct result?

VI. Financial Status of Institution

- A. Has your institution operated at a deficit any time during

the past ten years?

- B. What are the prospects or predictions for your financial position in future years?
- C. Would future deficit years require a major reevaluation of your academic program?
- D. In your opinion, has tenured faculty hindered or prohibited modification of the institution's program?
- E. If yes to above, are there financial statistics or reports available to support your position? If not, on what basis do you make this assumption?

VII. Academic Tenure, Its Influence and Impact

- A. What is your view of the current concept of academic tenure in private higher education?
- B. What improvements should be made in the present tenure plans and practices of private higher education?
- C. Are there any alternatives to tenure that you consider viable for higher education?
- D. What changes relating to tenure can be expected in the future? What forces in our society will be responsible for these changes?
- E. Do you believe as an educator that Academic Freedom can exist without tenure or some other form of job security?

	1964- 1965	1965- 1966	1966- 1967	1967- 1968	1968- 1969	1969- 1970	1970- 1971	1971- 1972	1972- 1973	1973- 1974
9. Total institutional income										
Percentage increase										
Surplus/deficit										
Name of individual completing this form _____ Telephone _____										

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ABSTRACT

A historical, descriptive study was conducted in the private sector of higher education in the Commonwealth of Virginia to review institutional tenure policies during the period 1964 through 1974 and to ascertain what factors were responsible for changes in tenure policies.

Of the nineteen private senior colleges in the Commonwealth, twelve elected to participate in the study. Campus visitations were scheduled and interviews conducted with the faculty chairman of the Rank, Promotion, and Tenure Committee (or similar group) and the Academic Dean/Vice-President. Each interviewee was asked questions from a prepared interview schedule. In addition, each institution was requested to complete a data sheet and provide the total number of teaching faculty, teaching faculty at each rank, faculty with tenure at each rank, faculty eligible each year for tenure, faculty denied tenure each year, faculty with tenure dismissed each year, student enrollments, and institutional income.

Selected findings were:

1. All institutions studied recognized the concept of tenure and in some way, formally or informally, granted and acknowledged tenure to their faculties.
2. The criteria used in the evaluation of a professional prior to the awarding of tenure were as varied as the number of institutions involved.
3. Policy changes which occurred from 1964 through 1974 were basically related to the inclusion of more persons in the decision-making process. Several institutions developed policies on tenure during this time where, heretofore, formal statements of tenure did not exist. An expansion of the tenure policies at several institutions also included extensive provisions for due process, either in the awarding of tenure, a negative decision on tenure, or the release of tenured faculty members for cause.
4. Appeal procedures for faculty members not granted tenure were not common.
5. The criteria used for the termination of faculty with tenure were frequently without substance.
6. It is rare for a faculty member with tenure to be released.
7. While several institutions indicated they did not have automatic tenure, it was not discernable that same did not exist.
8. Intangible factors have had a greater bearing on tenure policy change than tangible factors.

VITA

Jack C. Van Newkirk

Jack C. Van Newkirk was born in West Chester, Pennsylvania, on December 27, 1936, and received all of his undergraduate education in Pennsylvania. He attended Marcus Hook Elementary and Junior High Schools, and graduated from Ridley Park High School in 1954. He entered West Chester State Teachers College and received the B.S.Ed. degree in Secondary Education with a major in mathematics and a minor in social science in 1958. After graduation his teaching career began in the Rose Tree Union School District in Media.

The author taught several years for Worcester County Public Schools in Snow Hill, Maryland, and then entered the University of Maryland at College Park, receiving his M.S.Ed. in Secondary Educational Administration in 1965. At that time he joined the Admissions Office staff at State University College, New Paltz, New York.

He returned to full-time graduate study at The College of William and Mary in Virginia in September 1971, studying in the field of Higher Educational Administration. In February 1974, he was appointed Director of the Institute of Management, School of Continuing Studies, Old Dominion University, Norfolk, Virginia.