

REPORT OF THE AD HOC COMMITTEE ON

FACULTY APPOINTMENTS

(TOBIN REPORT)

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YALE COLLEGE DEAN'S OFFICE

OCTOBER 1981

To The Ad Hoc Committee on Faculty Appointments:

The Executive Committee of the Faculty of Arts and Sciences is most grateful to receive the report of the Ad Hoc Committee on Faculty Appointments. This Committee, appointed by Deans Lamar and Thomson and composed of non-tenured and tenured members of the faculty, has dealt with important and timely problems. The report reflects many hours of thoughtful work and we especially appreciate the statesman-like and collegial tone that it bears throughout. The report also reaffirms the faculty's primary responsibility for the character and distinction of the Yale faculty.

Your Committee was established in the same fashion as the Ad Hoc Committee on Policies and Procedures on Tenure Appointments that reported in 1965. That "Dahl Committee" report proposed basic policies and procedures, subsequently adopted by the Corporation, which you now amplify and bring up to date. The Executive Committee intends to follow the consultative process used for the report in 1965.

Your report contains many proposals, some of general scope, others of a detailed nature. Some of these proposals concern policies and procedures appropriately the concern of the faculty of Yale College and the faculty of the Graduate School of Arts and Sciences (for example, those regarding teacher evaluation); others concern policies and procedures which lie appropriately with the Joint Boards of Permanent Officers of Yale College and the Graduate School (for example, procedures for making appointments to tenure and for establishing a quorum of the meeting of the Joint Boards); and still other proposals concern matters of administration that lie with the Provost and the two Deans (for example, planning and forecasting available positions, leave policies and salary ranges).

Wishing to have the benefit of full faculty discussion, the Executive Committee now transmits to the general faculty in the Arts and Sciences your report. We look forward to a combined meeting of the faculties of Yale College and the Graduate School, to be convened by the two Deans and to be held for the purposes of general discussion and comment. After that combined meeting, the report will be referred to the faculty of Yale College and to the faculty of the Graduate School and then to a meeting of the Joint Boards of Permanent Officers.

After receiving the benefit of faculty comment and discussion, the President and the Provost would expect to recommend the substance of the various committee proposals with any revisions resulting from deliberations within the faculties and within the Executive Committee, for approval by the Corporation.

The Executive Committee's disposition is to absorb and learn from the full and frank debate within the faculty.

We wish to close by reiterating our admiration for the thoughtfulness and care that have informed all the Committee's proposals and to express our complete agreement with you that the processes by which a great University builds its faculty through its faculty must ensure equity and fairness while they also strive to identify excellence.

Howard R. Lamar
Keith S. Thomson
William C. Brainard
A. Bartlett Giamatti

Dean Howard Lamar, Yale College

Dean Keith Thomson, Graduate School of Arts and Sciences

Your Ad Hoc Committee on Faculty Appointments submits its report. On May 1, 1980, you described our charge in the announcement reprinted below. We have taken seriously the invitation to us as members of the faculty to reconsider, for the first time in fifteen years, all aspects of the procedures and criteria of appointment and promotion in the faculty. We have, of course, sought to cover the particular matters mentioned in your announcement, as well as other issues subsequently raised by you and the Provost.

The Committee invited all members of the faculties of Yale College and the Graduate School to write us about any matters related to our charge. We are grateful for the twenty-five replies we received, from persons of all ranks, ages, and disciplines. They helped us identify and think through many issues. We sent a questionnaire to all department chairmen regarding their procedures and practices, and we learned a great deal from the twenty-eight responses. We are also grateful to the Yale Chapter of the American Association of University Professors for informing us of preliminary tabulations of responses by chairmen and by junior faculty to surveys the Chapter conducted. In addition, our grievance resolution proposals (Chapter VIII and Appendix B) profited from the AAUP proposal on the same subject.

The data of Appendix A, many of which are cited in the text, come from a computer compilation of Corporation actions with respect to individuals appointed to ladder ranks of assistant professor or higher in the Faculty of Arts and Sciences since 1960. At our request the Office of Institutional Research assembled these data from official records. We thank Lloyd Suttle and John Goldin for their cooperation. The file will now be kept up to date, and for the first time Yale will have an efficient institutional memory of faculty personnel histories. As Appendix A illustrates, this memory permits calculation of times in rank, durations of tenure at Yale, probabilities of promotion, and many other statistics where quantitative information is preferable to impressionistic guesswork.

The Committee as a whole met with you, the two deans, with all four divisional directors, and with persons from the offices of the Provost and University Counsel concerned with affirmative action and with grievances. Our six three-person subcommittees, the Committee Chairman, and other individual members spoke to many other faculty members, including the President and Provost, about the issues we were considering. In addition, the Committee obtained interesting information from six other universities, California-Berkeley, Chicago, Harvard, Michigan, Princeton, and Stanford, regarding their appointments procedures.

For the most part, we worked our way through our agenda ourselves, in subcommittee discussions and drafts and in eighteen meetings of the full Committee. The Committee unanimously subscribes to the report and to all its recommendations. We stand ready to discuss them with you and other members of the Executive Committee and with the faculties.

Respectfully submitted,

John Blassingame
Robert Dahl
Richard Harrison
Barbara Johnson
Richard Levin
Ruth Marcus
Joan Steitz
Horace Taft
Craig Wright

James Tobin, Chairman *James Tobin*

October 5, 1981

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Announcement of Ad Hoc Committee On Faculty Appointments

The following announcement was made by Howard R. Lamar, Dean of Yale College, to the faculty of Yale College on May 1, 1980:

During the past academic year, various members of the Yale College Faculty have approached Dean Thomson and myself, as well as the Provost and the President, to suggest that we undertake a review of policies and procedures on tenure and non-tenure appointments.

Fifteen years ago Yale adopted the principal recommendations of the *Ad Hoc Committee on Policies and Procedures on Tenure Appointments*—the official name of the faculty group generally and affectionately known as the "Dahl Committee." This Committee had been appointed by two of our predecessors in office, and had been asked to make recommendations applicable to the Faculty of Arts and Sciences.

The principal recommendations contained in the Report of this Committee were endorsed by the Executive Committee of the Faculty of Arts and Sciences (the President, the Provost, the Dean of Yale College and the Dean of the Graduate School). They were discussed at two successive meetings of the Faculty of Yale College and of the Faculty of the Graduate School, voted upon, and finally approved by the Corporation. They are, therefore, the foundation of the University's current policies on such matters.

This Report remains a fundamental expression of our policies, as well as a document which has brought much deserved honor to its authors as well as to Yale. The passage of time has, however, affected some aspects of the academic world to such an extent as to make it desirable to reexamine this Report in the light of these new developments, to reaffirm it whenever it deserves to continue to guide us in the future as well as it has in the past, and perhaps to augment it wherever the need arises.

It is expected that the Report which will come out of this Committee will be treated in the same manner as the Report of 1965, namely that its recommendations will go first to the Executive Committee of the Faculty of Arts and Sciences, next to the Faculty of Yale College and to the Faculty of the Graduate

School, and finally, if warranted, to the Yale Corporation.

The charge of the Committee will primarily be to consider the following areas underneath the overall policies and procedures described in the Report of the 1965 *Ad Hoc Committee*:

First, to examine and define the meaning of a "search," and to spell out procedures for the various kinds of searches: how positions are defined; what "targets of opportunity" under the law may properly be; the proper instances for determining when competition and when comparison is used in a search; against which cohort a candidate can be properly compared. These and other issues, especially those related with Yale's Affirmative Action policy, are relevant to the proper definition of a "search." It is, therefore, expected that the Committee will examine them and bring in appropriate recommendations.

The second, and historically at least related, issue has to do with the review procedure available to members of the faculty who believe that appropriate procedures may not have been followed when their cases for promotion or reappointment were considered. Since the procedures under which we currently operate were set up and entered in the *Faculty Handbook* (pp. 12-13), an important body of practice has grown up, which makes it desirable to review those procedures and, if necessary and possible, improve them. Appropriate recommendations in this general area will, therefore, also be expected of the Committee.

Dean Thomson and I expect to appoint the new *Ad Hoc Committee*, which will consist of tenured and non-tenured faculty members from the Faculty of Arts and Sciences, in the near future. It is our expectation that we will find a chairperson before the end of term and that the committee will begin its labors next fall and continue through the year.

It is Dean Thomson's and my sincere hope that the *Ad Hoc Committee's* report, building on the foundation of the Dahl report, will serve as a guide for faculty appointments for many years to come.

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I. Introduction

Yale's Faculty of Arts and Sciences (FAS) numbers about 600 men and women. Each year some 100 persons are appointed, reappointed, or promoted to positions in the faculty. The faculty spends immense time and effort seeking and choosing colleagues and successors. The process also occupies the President, the Provost, the Deans, and their staffs. FAS salaries total about \$22 million, eight percent of the university budget and slightly less than net tuition income from the students the faculty instructs. No budget outlays receive more thorough scrutiny. The quality of Yale as a college, a school for teachers and research scholars, and a world center of learning depend on faculty recruitment.

By long-standing and valued Yale tradition, the Corporation, the President, the Provost, and the faculty share responsibility and authority in appointments. The Corporation makes all appointments "upon nominations by the President, or upon nominations approved and transmitted by the President" (Corporation By-Law 39). Although the President has the right to initiate nominations without proposals from the faculty, he rarely exercises it. Under normal circumstances, the Administration budgets positions and the faculty chooses the appointees. Departments of the faculty initiate proposals. If these are approved by divisional appointments committees composed of FAS members and by the Joint Board of Permanent Officers of the FAS, the President forwards them to the Corporation, which votes the appointments. But this is not a wholly accurate description of the division of power and responsibility. Budgetary allocations of positions by the Provost are inevitably intertwined with personnel choices and opportunities. Though reviews of appointments proposals are entrusted to faculty committees, the President appoints the members of the committees. For these and other reasons, the process defies any neat constitutional formulation. It is both cooperative and adversarial. The participants — departments, appointments committees, boards of permanent officers, and administration — share the same ultimate goals, and a friendly adversarial structure has been contrived to measure appointments throughout the faculty against common high standards.

Many of the details of procedure are recent in origin. The divisional advisory committees and appointments committees date from 1961. At the same time the permanent officers of the two faculties were joined together for the purpose of considering senior appointments. In the past three decades the faculty grew too fast and became too large for informal procedures, unwritten customs, and case-by-case rules of reason. As common law evolved from practice, the system gradually became codified in the Faculty Handbook. Following the civil rights legislation of the 1960s, affirmative action commitments and obligations accelerated the formalization of appointments procedures. The university and its constituent depart-

ments must be in a position to defend the openness, fairness, and thoroughness of their searches for candidates for academic appointments.

In the last fifteen years, procedural fairness and regularity in personnel decisions have received greatly increased emphasis in the country at large and in academic institutions. Partly a by-product of affirmative action, this trend has accelerated the formalization of procedures for faculty appointments and for the handling of grievances. The Yale Faculty Handbook now states explicitly the rights of nontenured faculty members to timely review and notice before termination. The university has also established a review process for complaints of faculty members who have not been granted reappointment or promotion and believe that the university's procedures or its commitments to equal opportunity have not been properly observed.

These developments, along with the beginning of a new university administration, make opportune a review of appointments and promotion policies and procedures in the faculty. That is the task the Deans asked us to undertake. We have tried to examine the entire process of appointment, from the creation of a budgetary slot to the forwarding of an approved proposal to the Corporation. Chapters II-VI consider in order the various steps in the process. Chapters VII-IX take up special topics: affirmative action, grievances, non-ladder positions. At almost every stage, we have some recommendations. These are so designated in the text, and are repeated all together in Chapter X.

In 1965 the Ad Hoc Committee on Policies and Procedures on Tenure Appointments, chaired by Professor Robert Dahl, examined the institution of tenure, the criteria for tenured appointments, the balance of junior and senior faculty, the choice between internal and external candidates, the evaluation of teaching, and the weight of teaching in appointments decisions. These issues are all interrelated. Then as now failure to promote to tenure highly regarded teachers and scholars aroused concern and anxiety among students and faculty. Today the financial constraints on Yale's growth and the depressed markets for academicians in many fields make decisions of this kind still more agonizing.

In their charge to this committee, the deans observed that fifteen years after the Dahl Report it was time for another faculty appraisal of policies and procedures on appointments. The Dahl Report is the foundation of current policies, especially in regard to tenured positions, its principal concern. We have indeed taken a second look at the issues addressed in the Dahl Report, and generally we have reaffirmed the findings and recommendations of our predecessors. Our scope is wider, not confined to tenured appointments. Because procedures are now more formal and rules more explicit, we have gone into more detail than the earlier committee and have written a longer report.

Throughout our review of current policies and practices, and in our recommendations, we have been guided by two fundamental objectives. First, to sustain Yale's traditions and realize Yale's aspirations, the faculty must include at all ranks the most effective teachers and creative scholars that Yale can find and attract. Second, as the same traditions and aspirations imply, Yale must treat with fairness, candor, and humanity the nontenured faculty members on whom it depends so heavily. Many of our recommendations are procedural and even technical. The principal hopes for our faculty, we know nonetheless, lie not in Faculty Handbook legislation but in the dedication of the whole community to the two objectives, and in the collegial good will that characterizes in exceptional measure the conduct of academic affairs on this campus.

II. The Structure of Ladder Ranks in the Faculty of Arts and Sciences

The ladder ranks in the faculty are Instructor, Assistant Professor, Associate Professor on Term, Associate Professor with Tenure, and Professor. There are also three ranks given prior to receipt of Ph.D.: Acting Instructor (full-time), an appointment which involves no further commitment by Yale; Acting Instructor (convertible) and Lecturer (convertible), appointments which are converted to Instructor or Assistant Professor on timely receipt of the Ph.D. degree. We find no problems with these last three ranks or with that of Instructor and concentrate our attention on the higher, professorial ranks.

Current rules (Faculty Handbook V.B.1, pp. 22-23) concerning term ladder ranks are summarized in Table 1. The underlined entries are those on which we have changes to recommend in this chapter.

A. Assistant Professors

- (II.1) We recommend (a) that the minimum initial term of an Assistant Professor be three years, inclusive of the pre-Ph.D. time on convertible appointments, and (b) that there be no more than one reappointment at this rank, and none for persons who have served in the equivalent rank elsewhere.

Considerations: The short initial terms made by some departments seem to have little justification. Departments should be sure enough about the candidates they propose at this rank to give them time to show their qualifications for reappointment or promotion. The term of the one reappointment can be of any length, subject to the seven-year limit. One reappointment should suffice. The candidate should not be faced with continual uncertainty about her status. Moreover, it should be clear to both the department and the candidate that the second appointment establishes the time of review for termination or promotion. If sufficient time is allowed in the terms, recourse to one-year extensions because of postponement of difficult decisions will not be necessary. When an assistant professor from another university is brought to Yale at the same rank, the department should give her a long enough term so that the termination-or-promotion review can be undertaken without any reappointment. This provision is related to the amendment to the ten-year rule we recommend below.

- (II.2) We recommend that junior faculty be eligible, under the Corporation's leave policy (Faculty Handbook IX.E.2a, p. 79), for one term of paid leave after three (instead of four) years in the ranks of instructor or assistant professor.

TABLE 1

Rank	Terms (Years)	Reappointments Permitted	Limit on Time in Rank (Years)
Acting Instructor (Full-time)	1	1	2
Acting Instructor (Convertible to Assistant Professor)	3	0	2
Lecturer (Convertible to Instructor or Assistant Professor)	3	0	2
Instructor	1	1	2
Assistant Professor	≥ 2 ≤ 5	<u>Limited only</u> <u>By Time in Rank</u>	7, including all "years in ladder ranks below Associate Professor at Yale with the Ph.D.**
Associate Professor on Term	<u>≤ 5</u>	<u>Limited only</u> <u>By Time in Rank</u>	<u>5</u>
All Ladder Ranks			10, (less up to three years for <u>equivalent service elsewhere</u>) years of full-time teaching with Ph.D.**

* It is not clear why these differences occur in the Faculty Handbook provisions regarding these ranks; i.e. why an acting instructor cannot be converted to an instructor as well as to an assistant professor, and the term of a convertible and an actually converted acting instructor cannot be any length permitted for the higher rank. In practice the difference in use of the two ranks is that the acting instructor is usual for Yale graduate students, the lecturer for external recruits.

** The Faculty Handbook assumes that all ladder rank appointees must be Ph.Ds or prospective Ph.Ds. This has not been an invariable practice and should not be. Consider foreign scholars, candidates in creative arts (see recommendation II.1), and others with unconventional evidence of scholarly achievement and promise. The Handbook language should allow for qualification equivalent to Ph.D

Note: Underlined entries are those on which changes are recommended in this chapter.

Considerations: It is very important that every assistant professor have the opportunity for research leave at an early enough time in his tenure of the rank so that his research may be evaluated in the termination-or-promotion review. A leave after the fourth year is frequently too late. If initial appointments to the rank are commonly three years, only those who are reappointed will be eligible for the leave, and it will be the natural accompaniment of the reappointment. Assistant professors appointed from the outside should receive the leave earlier in their Yale terms if possible.

B. Associate Professors

- (II.3) We recommend (a) that associate professors be appointed for initial terms of three to five years, (b) that the maximum time in rank be six years, (c) that there be no more than one reappointment in the rank, none for those who have served in the equivalent rank elsewhere.

Considerations: The reasons are essentially the same as for the analogous recommendations for assistant professors. The six-year limit on time in rank, allowing, for example, for two three-year terms, could be useful for those who were promoted early in the term of a junior appointment. Flexibility in permitted terms avoids the need for one-year extensions in the rank because of delay in termination-or-promotion reviews.

- (II.4) We recommend higher salary ceilings for term associate professors.

Considerations: This is a corollary of other recommendations, some stated in later chapters, which will increase the use and importance of this rank and the time spent in it. It is also our view that some departments can usefully recruit from outside at this rank, rather than delaying all competition between inside and outside candidates until tenure is at stake.

C. The Ten-Year Rule

- (II.5) We recommend continuation of the policy of allowing no more than ten years of service in nontenured ladder ranks, subject to the limits of time and reappointment in rank proposed above. However, we recommend that only time in the nontenured ladder ranks at Yale (beginning as now no earlier than the first year in which the Ph.D. was received), be counted.

- (II.6) We recommend that the terms and limits of calendar time in nontenured ranks be extended, not more than a total of three years, for interruptions in the activities of a faculty member relevant to tenure promotion decision. These interruptions, and the corresponding extensions,

may take the form of part-time appointments or leaves for non-academic purposes. When university policy makes such appointments and leaves regularly available to faculty members, as for maternity or disability or military services, they should carry with them the corresponding extensions of time. (This would change Faculty Handbook IX.F.1, p. 81.) At the discretion of the dean, similar extensions may be approved for other reasons, e.g. non-departmental administrative assignments at Yale requiring half time or more, and leaves for public service. Approved extensions "stop the clock" on terms and time in rank to the same degree as they extend total time in nontenured ranks.

(II.7) We recommend, as stated in detail in Chapter V, that Departments regularly review the progress and prospects of its nontenured members and inform them candidly of their prospects for tenure at Yale.

(II.8) We recommend that Yale institute a program of assistance in retraining for nontenured faculty who, in view of prospective nonpromotion at Yale and absence of job opportunities in their academic fields, wish to prepare for careers in fields in which Yale provides professional training.

Considerations: A limit on time without tenure enforces institutional self-discipline. It prevents departments from postponing difficult and unpleasant decisions, and it spares faculty members deception and self-deception. Any specific limit is arbitrary. Yale and the individual frequently gain mutual benefits from prolonging the time in nontenured ranks, and this will be even more frequently true absent the rank of tenured associate professor (section D below). Yale retains valuable experienced faculty; the individual gains more experience here and has more time to qualify for tenure at Yale or elsewhere.

Lowering the limit would work counter to these mutual interests. It is true that today many academic markets are particularly weak at advanced ranks. In those disciplines, there are strong reasons for junior faculty to enter the market early. But those are not necessarily reasons for Yale to force them into the market early. Recommendation (II.7) is designed to help the individual faculty member make his own informed choice. Recommendation (II.8) designed to help some of those who stay and do not find suitable positions here or elsewhere. We do not think the university should deny them the chance to pursue their chosen academic callings as long as they find it feasible, within the limits of our established policies.

Counting service elsewhere against Yale's ten years involves messy and arbitrary calculations of equivalence. Our attention has been called to some anomalies, where differences of university prac-

tices and semantics result in counting what are essentially equivalent activities in one case but not in another. Previous post-Ph.D. teaching may have helped a career at one institution and hindered it at another. In any case, the limits we suggest on times and reappointment in rank will generally be more binding constraints for persons with service elsewhere than the ten-year rule.

"Stopping the clock" (II.6) seems to us justified when the faculty member is diverted from academic and professional activities that could produce evidence of qualifications for reappointment and promotion. Leaves or reduced-time appointments granted routinely as a matter of university policy for non-academic diversions should, we think, stop the clock. Leaves and fractional releases of time for research, teaching elsewhere, or other professional activities should not. In between are many cases where discretion is required in the application of the principle we suggest.

D. Associate Professors with Tenure

(II.9) We recommend discontinuance of the rank of tenured associate professor and immediate conversion of all present holders to the rank of professor.

Considerations: Tenure is the decision of major importance. It should always be made with the care and scrutiny commensurate to the length of the commitment and to the scarcity of permanent positions. The tenured associate professorship has sometimes seemed, to departments and senior appointments committees, an easy compromise, an escape from hard choices, especially in the cases of internal candidates. Repeated recourse to this escape can weaken departments and impair their ability to attract distinguished external candidates to tenured positions.

It is true that tenured associate professors are likely to leave if not promoted when they have attractive opportunities elsewhere. Yale should not in all decency make tenured appointments with the hope that the incumbents will depart if it turns out that the university regrets having promoted them. Permanent second-class citizenship, even with automatic promotions shortly before retirement, is not fair to the associate professors or good for faculty morale and comity.

The main virtue of the rank is that it may permit risk-taking with young candidates of high promise but incomplete achievement, candidates who would not make the professorial grade in competition with scholars of established reputation. In Chapter III we argue for a forward-looking interpretation of our criteria for appointment of professors, and for a policy that encourages departments and senior appointments committees to accept the risks of appointing young candidates.

Our recommendation is to convert at once all present tenured associate professorships to professorships. This is the path that Harvard took when discontinuing the rank. We considered other possible transitions and concluded that any selectivity would be an invidious, inequitable, and costly diversion of the faculty's decision-making resources from more important tasks and that any delays would be arbitrary and pointless. The straightforward procedure is to treat all past appointments to tenure on a par, in the spirit of the new rank and tenure structure and criteria.

E. Professors and Tenure

Like the Dahl Committee fifteen years ago, we re-examined the issue of tenure and concluded that the practice of appointing professors without term should remain intact. The main rationale for tenure is, as it has always been, academic freedom. Although we are confident that Yale would continue to protect free inquiry by its faculty, tenured or not, we must recognize that the institution of tenure is integral to academic structure throughout the nation and the world. Any one university would need very compelling reasons to depart from it, and we do not at this point believe such reasons exist.

An endowed private university like Yale must necessarily ration its tenure commitments in prudent relation to its long-term resources. Such a university must also preserve, for a combination of financial, educational, and intellectual reasons, a balanced mix of ranks and ages in its faculty. In Appendix A, Tables 1-14, we report data regarding the composition of the FAS ladder faculty and regarding the actual terms, reappointments, and promotions of persons appointed to the ranks above instructor since 1960. In comparison with other institutions, Yale's faculty of arts and sciences is not heavily tenured. Of faculties of arts and sciences in fourteen private research universities, Yale has the smallest tenured proportion, 55% of persons at or above assistant professor, compared to an average of 71% for the other thirteen. It is of course harder to maintain a balance in an era of stability and economy than in an era of growth. But we do not want to entrust teaching just to senior faculty and teaching fellows. Assistant and associate professors are the crucial sources of vitality in teaching and other relations with students and in research. Although we favor budgetary flexibility to permit departments to substitute dollar for dollar across ranks in response to needs and recruiting opportunities, we hope these substitutions will be subject to overall limits that keep the FAS as a whole between 50% and 60% tenured.

III. Criteria for Appointments in the Faculty of Arts and Sciences

A. Professors

We reaffirm the criteria formulated by the Dahl Committee in 1965, officially adopted by the University and stated in the Faculty Handbook. However, some interpretation of these criteria, as applied in the Handbook, is appropriate in the light of our proposal to abolish the tenured associate professorship and in the light of current academic markets and Yale's position in them.

A tenured appointment is necessarily a forward-looking commitment, not a prize for past achievement. Yale wants to appoint professors who will over their future years at Yale or elsewhere make truly distinguished contributions to knowledge by scholarly writing and by effective teaching, in the various dimensions and combinations stated in the Dahl Report. "Attained scholarly distinction of a high quality" (Faculty Handbook IV, p. 17) is usually, of course, a strong indicator of future performance. But it is not invariably so, and there are other indicators too. A tenure appointment, like any other forward-looking commitment, involves uncertainty. Uncertainty is two-sided: the scholar may turn out to be exceptionally productive and innovative, or unusually unproductive and routine. Yale should not be afraid to take risks. Yale should not systematically prefer candidates who are almost sure to do well and almost sure not to do brilliantly to those who have some chance of remarkable breakthroughs and some chance of failure.

These observations are related to the ages of tenure appointees. A scholar aged 55 years or more with distinguished achievement may not be a good bet for further seminal writings or experiments, though her contributions in other dimensions of teaching and scholarship may amply justify appointment at Yale for the remainder of her career. A scholar aged 35 years or less may not have the recognized attainments of scholars in her field who are twenty years older, but may show indications of superlative promise. Yale must be prepared to give tenure to young candidates. Specifically, the Faculty Handbook requirement (V.B.1, p. 23) "Candidates for professorships are expected to stand in competition with the foremost scholars in their fields throughout the academic world" should not mean that young candidates are excluded if their attainments to date do not cumulatively measure up in quantity and quality to those of mature scholars at or beyond the prime of their careers. Candidates must be competitive with the best in the world, always judged in terms of promise and with willingness to take two-sided risks.

In many fields the academic market for top scholars is still exceedingly strong, and it is necessary to make tenure judgments early. Experience suggests that Yale is more attractive to persons who know the university and its environment. It is not easy to at-

tract stars once they are visible, established, and firmly located. This is especially true because Yale, for good reasons, does not follow an open-ended and wholly market-oriented salary system, as some other universities do. The tenured associate professorship gave Yale a way of holding possible future stars before their claims to professorship were clear. Evidently it rarely succeeded in its objective, and for other reasons we recommend elsewhere its abolition. A fortiori we must be prepared to take risks with young professors, especially in fields where scholarly or scientific achievement occurs early.

B. Associate Professors on Term

The Faculty Handbook states "To qualify, a person must have demonstrated sufficient promise and achievement to qualify for tenure at a major institution within five years." We endorse this criterion, but it too requires some interpretation in application.

At Yale term associate professors serve important functions in providing continuity, maturity, and experience to teaching and research programs that inevitably rely heavily on nontenured faculty. Given our ten-year rule and the limits on terms of assistant professors, and given the market for able young scholars in many fields, it would not be possible to maintain the quality of Yale programs without this rank. For the faculty member, the rank extends the period of probation and the opportunity to gain from the Yale environment. The rank also makes it possible for Yale to attract assistant professors from elsewhere who were missed in the first round of recruitment of new Ph.Ds. Departments should be alert for such opportunities in today's academic market, always weighing them against the advantages of continuity in promoting assistant professors on the scene.

In these circumstances, it is inevitable and desirable that departments propose candidates whose probabilities of tenure at Yale are low. It is also natural and desirable that more weight be given to teaching effectiveness and to departmental and university service than in the competition for tenured positions. The committee on senior appointments should, in our view, normally respect the department's judgment on these matters.

Realistically the "major institution" mentioned in the Handbook varies with the standing of Yale's department and with the state of the academic market in the field. In the past Yale associate professors have gone to high-prestige universities, to universities of solid quality in research and graduate education, to leading liberal arts colleges, and to positions in research institutions and government agencies. We interpret the Handbook criterion to encompass these outcomes, and to be a statement about quality rather than a prediction. In some fields where few tenured vacancies occur anywhere in the country, a candidate could qualify for a tenure appointment at a major institution -- i.e., be of quality comparable

or superior to those who now hold such positions -- but stand little chance of obtaining one. We do not interpret the criterion to mean that such a person should be denied the chance to extend her academic career at Yale, even though it may be possible or even likely that she will have to settle for a lesser academic placement or change careers. Elsewhere we make recommendations designed to help such a faculty member both to make informed choices and to change fields if necessary.

C. Teaching as a Criterion

The weighting of teaching and scholarship in faculty appointments and promotions is a chronic issue in a university like Yale, which aspires both to advance knowledge and to perpetuate it to posterity. Yale College is the original and central school of the university, and most of the faculty's teaching is directed to young men and women of exceptional and remarkably diverse talents who will play significant and extremely varied roles in society. The faculty is also heavily involved in the education of future scholars and professional experts, an enterprise closely connected with the faculty's own scholarship and research. There are only a handful of universities in the world that successfully try to combine all three of these endeavors in one institution, indeed in one faculty. Balance among them is difficult to maintain, and it is not surprising that there are recurrent complaints and concerns, both in general and in specific cases, that faculty selection gives too little weight to the quality of teaching, particularly of undergraduate teaching.

The Dahl Committee addressed this issue in 1965, and we believe that its findings are still valid. First, the Dahl Committee pointed out the implications of the fact that Yale College is a university college:

Continuous reappraisal of admission and recruitment policies is essential to insure that Yale's undergraduates be especially prepared to benefit from association with distinguished scholars. The resources and opportunities which a great university afford should be made clear during the introductory week of the freshman year by the faculty advisers and by the freshman counselors... [and]...by the alumni who represent the University in interviewing prospective applicants.... A university-college need not and should not strive for exactly the same qualities in its undergraduates as independent colleges; indeed, Yale should seize and exploit the potentialities of a liberal education in a university college.

Some progress has been made in these directions in the interim, both in admissions and in the undergraduate curriculum. But not enough. Though we can be proud that our undergraduate programs maintain the traditions of Yale College, we could do still more to engage undergraduates to take advantage of the university at large.

Since 1965, considerable effort has been exerted to improve teaching in Yale College and to increase information on teaching performance available in decisions on appointment and promotion. The Dahl Committee's recommendation

that a faculty committee be appointed, to address itself not only to the questions of evaluating teaching but also to the problem of maintaining and improving the quality of teaching at Yale by both tenured and nontenured faculty

was eventually implemented, with students as well as faculty members on the Committee on Teaching and Learning. That Committee has been active, diligent, and imaginative over the years, serving as an institutional conscience and voice for the quality of undergraduate teaching. Its suggestions have been valuable in our deliberations. Its well-designed course evaluation questionnaires are commonly used. Student-faculty committees advise departments on curriculum. Students are invited to express opinions on teaching and teachers, spoken or written, to deans, department chairmen, and directors of undergraduate and graduate studies. Devoted and excellent teachers are honored by prizes. Statements and evidence on teaching performance are required in all proposals for appointment and promotion. Yet there continue to be agonizing cases where highly regarded teachers are not granted tenure at Yale. And in most proposals of appointment, especially of external candidates, information on teaching is sparse and unreliable. It is not surprising, especially in a faculty with our multiple objectives, that other criteria are usually decisive in appointment and promotion.

We reaffirm the position of the Dahl Committee with respect to permanent appointments:

If we assume as the committee does, that a permanent member of the Faculty of Arts and Sciences must be both scholar and teacher, and if our aim is excellence in both, then clearly a candidate for appointment who falls below some minimum level on either scale would not qualify for an appointment. The minimum levels cannot be precisely described; it would be foolish to make the attempt. But each must be high enough so that, in combination, the candidate possesses "scholarly distinction of a high quality as demonstrated both by his written work and by his teaching." Above the basic levels of excellence, then, great achievement in scholarship may offset lack of great distinction as a teacher. For a candidate whose scholarship is sound but not necessarily preeminent, unusually effective teaching will help to meet the requirement for "scholarly distinction of a high quality."

We also agree with our predecessors' view that teaching takes a great many forms, from supervising the work of doctoral candidates to lecturing in a freshman course, and excellence in one form is not necessarily closely related to excellence in another. Few produc-

tive scholars lack the capacity for good teaching in a form relevant to the tasks of Yale College and the Graduate School. It would therefore be a profound mistake to judge a candidate's qualities as a teacher exclusively in terms of performance of only one kind. Although the relation between teaching and scholarship is complex, we believe that over the long run a commitment to scholarship and a demonstrated capacity for scholarly work are essential qualities of good teaching.

All departments have an obligation to maintain a good teaching program and therefore a complement of good teachers. Yet there is no easy way to make this obligation effective. Provosts, deans, directors, and divisional and appointments committees should require departments seeking or filling a tenured position to explain how the position or a proposed appointment to it will contribute, if at all, to the teaching activities of the department.

To appraise the quality of a candidate's teaching is extremely difficult. At present departments vary a good deal in the extent to which they try to take teaching into account in appointments and promotions, and in the amount and kinds of evidence they use for assessments. Although undergraduate course evaluations are helpful to teachers, the information they contain is not used in decisions on appointments and promotion. At present the returns of the forms are too fragmentary and unrepresentative to serve as reliable evidence. Moreover, evaluations are needed from graduate students as well as undergraduates.

(III.1) We recommend that, except in seminars so small that the anonymity of the students might not be preserved, course evaluation forms be distributed to undergraduate and graduate students by every department, and that they be returned to the department, where they should be kept on file for inspection by the instructor and by the chairman. We recommend further that the instructor have a right to convey to the chairman any comments he may wish to make about the course evaluations. We also recommend that the Committee on Teaching and Learning be charged with the responsibility for designing a system of distributing undergraduate course evaluation forms that will yield nearly universal response while insuring anonymity for the students. (For example, in a course with a final examination, the instructor might pass out the forms at one of the last course meetings with instructions to return them to the proctor at the beginning of the final examination in exchange for a copy of the exam.) We recommend likewise that the Dean of the Graduate Faculty and his faculty take steps to devise forms and distribution procedures for graduate courses. In addition, we recommend that department chairmen periodically solicit appraisals of graduate instruction from recent Ph.D.s. Departments will use student evaluations of these kinds in assessing teaching quality in decisions and recommendations for reappointments and promotions.

(III.2) To assist in evaluating teaching contributions, we recommend that a standard form be distributed each spring to all faculty members on which each would report not only on scholarly activities but in some detail on teaching and other responsibilities. The form would indicate specific courses taught, course sizes, number of instructors and teaching assistants, number of dissertations supervised, service as freshman advisor, sophomore advisor, or advisor on the major, and service on departmental, Yale College, Graduate School, FAS and other university committees. These should be kept on file for use by committees on appointments and promotions, including the relevant FAS committee, and, like the teaching evaluation forms, for inspection by the instructor and the chairman.

Considerations: It is inconsistent to prescribe teaching as a criterion for promotions and appointments and then fail to provide for a process that will furnish reliable information about teaching. At present, an evaluation of the teaching performance of candidates, when not ignored altogether, tends to be casual and haphazard, for example influenced by unrepresentative opinions in the Course Critique. The solution we recommend is intended to insure virtually a complete rate of response, anonymity for the students, minimal intrusion on the instructor's autonomy, and a chance for the instructor to account for appraisals he thinks are unwarranted. We recognize that the evaluations of students should be treated with discrimination, particularly in view of the varieties of teaching excellence we have already mentioned. But since distrust of evaluation forms is fairly widespread among the faculty, it is very doubtful that they will be used indiscriminately.

It is true that on reflection with the passage of time students sometimes change their minds about the value of a course or an instructor. It is comparatively easy to gain later appraisals from recent Ph.D.s. However, it would be extremely burdensome, if not as a practical matter impossible, to obtain a high rate of response or even an adequate sample from recent college graduates. Moreover, very recent graduates are unlikely to have revised their judgments significantly, while the longer the interval the less likely that a student's classroom experience, or his recollection of it, will bear on the current performance of the candidate.

Our recommendation does not restrict the use of evaluation forms to nontenured members of the faculty. It seems to us that general usage would make the process less invidious; and since every teacher, tenured or not, should continue to be concerned with the quality of her course and teaching, the general use of the evaluation forms may help to improve the level of instruction in the College and Graduate School. Evaluating the teaching of outside candidates is particularly difficult. No standard solution to the problem seems satisfactory. It is important, so far as possible, to avoid the possible unfairness of a double standard, evaluating the

teaching of internal candidates but not of outside candidates. The double standard may be unfair in either direction, in giving undue advantage to internal candidates or in penalizing them. Joining the Committee on Teaching and Learning,

(III.3) we recommend that letters and advertisements inviting recommendations or applications for positions on the Faculty of Arts and Sciences should request evidence of teaching abilities or potential as a teacher.

D. Internal Candidacy for Promotion to Tenure

Under established Yale policy for faculty appointments, "the University seeks to appoint the best candidate for the position, whether or not the candidate is currently affiliated with the University. Consequently, faculty members on term appointments do not have a "right" to reappointment or promotion." (Faculty Handbook III.H., p. 11).

(III.4) We recommend continuation of existing policy with respect to internal promotion (Faculty Handbook III.H.). The policy is fundamental for any university that aspires to be one of the foremost centers of learning in the world.

At the same time, Yale policy does give its nontenured faculty rights to be considered and evaluated for reappointments and promotions, rights which in the nature of the case are not shared by possible outside competitors for the same positions. In Chapter V we recommend explicit recognition and definition of these rights, and extension of the protection and information they provide nontenured faculty. In Chapter VIII we recommend some changes in the procedures for handling faculty grievances, which provide further assurance of fair and considerate treatment of nontenured faculty. We believe it is entirely consistent and appropriate that internal candidates have presumptive rights to consideration but not to appointment.

In Appendix A we have compiled some data regarding the eventual fates of persons initially appointed to FAS ladder ranks from 1960 on. From Table 12 it can be determined that of 592 individuals appointed assistant professor, 1960-1969, 81 (or 14 percent) achieved tenure at Yale. The figure varies by division, lowest for Humanities (11%), somewhat higher for Social Sciences (14%), and considerably higher for Natural Sciences (18%). The probability of achieving tenure for individuals initially appointed as term associate professor, 1960-1969, was nearly 50% (see Table 13). The probabilities of achieving tenure by internal promotion may be declining slightly, but our figures cannot prove this and recent financial and budget trends at Yale and in the academic world at large could on balance cut either way. The figures somewhat understate the frequency of Yale offers of tenure to internal candidates, because some

of those offers were declined and some candidates who would have received offers left for positions they knew they preferred. Although the probability of tenure at Yale is surely greater if you come to Yale on a nontenured appointment than if you do not, the probability of internal promotion is low. Moreover, 45% of tenured appointments at Yale over the years 1960-1980 were of persons not at the time affiliated with Yale.

Appendix A also shows, in Tables 3 and 14, the unsurprising fact that the vast majority of appointments to term associate professor were internal promotions of assistant professors, and that 36% of our assistant professors receive such promotions. Likewise, very few assistant professors are terminated after a short first term, and very few appointees at the rank were previously assistant professors elsewhere.

The practices summarized by these observations seem to us quite appropriate, and consistent with the stated policies we endorse. In selecting the "best candidate" for term appointment, continuity and experience at Yale are important and relevant criteria. In selecting the "best candidate" for tenured appointment Yale experience is less important relative to other criteria. Any incumbent will have plenty of time to acquire it, and an external candidate will bring to Yale the lessons and benefits of experience elsewhere.

We are aware, of course, that the tenure system and the policy of seeking the best candidate, internal or external, have some negative byproducts. Competition for scarce slots, not only among colleagues and friends on campus but with an open-ended group throughout the world, is a source of anxiety. Inevitably members of the junior faculty sometimes suspect that they are judged unfairly and treated ungratefully. These strains on morale are endemic to the system, but they have been accentuated recently by adverse trends in the markets for scholars and teachers in most disciplines. Yale positions look scarcer, the competition for them greater, and the prospects for finding good jobs elsewhere after 5-10 years at Yale poorer. The news has been bad, and perhaps its impact has been exaggerated by uncertainty and confusion about the true situation of Yale and of academic markets. Among our recommendations in Chapters IV and V we urge that the administration and the departments keep junior faculty informed about their personal progress and prospects, in light of the university's own budget planning and the state of the markets for academic talent.

It is not surprising that in the present climate increased sentiment has been voiced for supplanting our present system in favor of a genuine "tenure track" along which a new member of the faculty gradually earns promotions and tenure by meeting a series of absolute standards. In such a system insiders enjoy a presumption of advancement. One danger, acute when the institution is stable or shrinking rather than growing, is that the faculty would become heavily tenured; given the financial limits, it would also become smaller. The greater danger is that, with fewer external appoint-

ments and lesser stimulus from competition with outsiders, the quality of the faculty would eventually be impaired. The Committee cannot agree that the tenure track system is a good one for Yale.

While Yale's tenure recruiting is universalistic, promising internal candidates do have some home court advantages in fair competition. They are better known to the permanent officers. Departments and committees can throw into the balance their records as teachers, colleagues, and citizens, and can give proper weight to those scholarly and intellectual contributions that show up not in their own writings but in their colleagues' papers and their students' dissertations. We hope that internal candidates will win more tenure competitions than in the past and stay here when they do. The best way to achieve this happy result is to make excellent junior appointments. Given the appeal of continuity to the scholar as well as to the institution, strong recruiting at junior ranks may be Yale's best route to distinction in tenure recruitment. But in the best of circumstances, many highly qualified and gifted young teachers and scholars will be obliged to leave Yale after years of dedicated and outstanding service. Despite their demonstrated qualities and high promise, departmental needs and budgets will not allow for their promotion to tenure.

IV. Allocation of Positions to Departments

A. Advance Scheduling of Positions: Short-run

Departments must secure budgetary authorization from the Provost in order to make any appointment or promotion to tenure (and for any other new appointment to other ladder ranks). Having obtained budgetary authorization for a position, the department must obtain from the Provost's office approval of its proposed search procedures before beginning its search.

These requirements are essential, but we find two problems in their implementation. The first concerns the short-run timing of budgetary authorizations and search approvals. The second concerns long-run planning, particularly of tenure appointments.

The annual cycle of recruiting and appointment begins with the academic year, Faculty Handbook III.H.1, p. 12) and it is overcrowded. It is difficult on all sides for departments to obtain the required authorizations, carry out search and recruitment, reach decisions, make proposals and timely offers, bring their proposals to the appointments committees and in tenure cases to the Joint Boards of Permanent officers -- all in an academic year. Congestion builds up in the spring. Although unused vacancies can generally be carried over to the following year, authorization to do so is not automatic and must be solicited anew at the start of each new academic year.

- (IV.1) We recommend that the Provost give firm budgetary authorizations and search approvals as early as January in the spring term preceding the academic year in which the department proposes to offer the appointments.

Considerations: Early action will permit departments to accomplish the process of search, recruitment, and decision in the preceding spring and early fall, avoiding the congestion of the final months of the academic year. An early start is particularly important in a tenure search, which should and does take a long time. The budgetary implications of spring authorizations will not occur before the second subsequent academic year. But the Provostial decisions which take place after the preparation of the budget for the coming year are occasions for reappraisal of the general longer-run financial position of the FAS and its several departments. In any event under the present schedule the Provost already has to authorize expenditures for the following academic year several months before the budget for that year is prepared. It does not seem likely that new information available to the Provost between January and September change his view of the budgetary authorizations he can afford. Such decisions should not be sensitive to transitory information.

Early authorizations will also be advantageous in the recruitment of junior faculty. In the competition for new Ph.D.s., universities that can act quickly in the fall have a running start in identifying and attracting the best new talent. This is particularly the case in disciplines whose national conventions are held in the summer or fall. It will, of course, be harder to anticipate resignations, leaves and other circumstances that affect the need for junior recruitment, but not much harder. These are difficult to predict in the fall. The Provost and the department should be ready to make actuarial and contingent agreements about the number of authorized junior slots.

We realize, of course, that circumstances do change, emergencies and opportunities do arise. No matter how forehanded they are, departments will sometimes have to seek authorizations late in the day. Likewise, given the vagaries of recruiting, they will not make all the planned and authorized appointments.

(IV.2) We recommend that the budgetary authorization and search approval for a tenured position continue from year to year so long as the vacancy is not filled, subject to review after a number of years specified by the Provost in each case.

Considerations: Tenure recruitment often entails not only extended search and deliberate decision but also protracted negotiations with a series of persons to whom the offers are made. It is not easy to move distinguished scholars, and it frequently requires several offers to fill one position. Departments should not be given the perverse incentive to fill a position with an inferior candidate for fear of losing the position altogether. In some cases the best strategy may be to use authorized funds to make one or more nontenured appointments, while waiting for one of the appointees or another young scholar to qualify for the position. The Provost and the department should be ready to agree on such a strategy.

B. Advance Scheduling of Positions: Long-run

At present, departments do not know, even on a probabilistic basis, what tenured positions may be authorized for them in the future. Vacancies due to resignation, retirement, or death, it has been made clear, do not automatically or even presumptively lead to authorization for replacement. This is understandable during a time of financial reappraisal. At the end of a period of expansion, the allocation of positions must be reconsidered. That allocation must never be frozen; the university must retain the flexibility to respond to new opportunities and to obsolescence, to trends in student tastes, and to shifts in Yale's comparative advantages. At the same time, departments need more solid bases for future planning than they have recently had. The Provost's Academic Review Committee, we understand, is in the process of providing these, and we applaud that enterprise.

In our view, sound planning by departments and divisions requires that the Provost indicate to them the schedule of positions for which they can expect to secure authorization over a longer horizon than one or two years. Advance schedules are especially important for tenured positions. We have in mind assurances for five years ahead which, although not budgetary authorizations or guarantees that they will be forthcoming, will be honored in the absence of extraordinary changes in the circumstances of the department and of the university. Also, less definite indications of probable vacancies for an additional ten years should be provided, translating into departmental slots the implications of the current planning assumptions of the university as a whole and the FAS.

These projections of tenure authorizations should smooth out the irregularities of vacancies arising from retirements, resignations, and deaths. Since these are accidental and arbitrary, there is no reason that the schedule of appointments should replicate their time path. The opportunities for making excellent tenured appointments may occur on a quite different schedule. As observed above, filling a tenured position may take several years. The five and fifteen year schedules suggested in the paragraph above should on average, in the long run, result in tenure complements consistent with the permanent financial resources the Provost and Executive Committee plan to allocate the department. But they need not do so every year. Both Princeton and Harvard provide departments with smoothed advance tenure plans of the type we are advocating.

In the tenure slot projections that we are suggesting it is important to take account of the fact that the actual expected duration of a new tenured appointment is considerably less than the length of time until compulsory retirement. Table 15 in Appendix A illustrates that approximately ten percent of tenured appointees leave Yale within five years of receiving tenure, and approximately twenty percent leave within ten years. Thereafter the rate of departure declines sharply. Our estimate from incomplete data is that the average duration of a tenured appointment is between twenty and twenty-five years.

Naturally, the Provost will need to retain unallocated slots in order to allow flexibility to respond to "targets of opportunity" and to new priorities. In summary,

- (IV.3) we recommend that the Provost indicate regularly to each department of the FAS the schedule of authorizations for tenured appointment the department may expect over the coming five years, and the probable number of authorizations foreseen in current university plans for ten further years. These projections should take actuarial account of expected resignations, retirements, and deaths but allow for their replacements, to the extent that these are expected to be authorized, on a smooth and flexible schedule.

Under the recommended procedures, departments will be seeking annual budgetary authorizations for immediate action. Some of these will simply be requests to activate prospective authorizations previously determined and scheduled. But others will require more elaborate academic justification, in which the Provost and the Executive Committee may need advice from the divisional advisory committee and other faculty (see section F and recommendation IV.5 below). These will include any items in the five-year projection that the Provost has specified to be conditional on such justification, and any items that represent additions to the projection or significant acceleration of the schedule. Among the latter may be the two kinds of requests discussed in sections IV.C and IV.D below. Departments should be encouraged to make these cases as long in advance as possible, so that the annual requests for budgetary authorization involve little substantive discussion and decision.

C. Targets of Opportunity

Here we mean by "target" a person of universally acknowledged pre-eminence in a discipline. To provide some calibration, we have in mind one of the 15-25 leading scholars in a field as large as economics, psychology, or biology. We mean by "opportunity" new information that raises to a significant level -- let us say .20 -- the chance that the "target" will accept a timely offer from Yale.

(IV.4) We recommend that in case of a "target of opportunity," a person of universally acknowledged pre-eminence in a discipline, the department should seek budget authorization from the Provost, either for an additional tenured position or for the immediate or early use of a previously authorized or projected slot. The Provost should not give final approval without the concurrence of the divisional committee that the target meets in fact the standard of exceptional distinction alleged by the department. If approval is granted, the Department is excused from the normal search procedures and from the solicitation of "blind letters," but the chairman of the Committee on Senior Appointments (CSA) should obtain three to five confirmatory letters of reference. At their discretion, the deans may dispense with the use of outside consultants in the consideration of the case by the CSA.

Our discussion and recommendation should make clear that we do not regard emergencies in more routine cases -- due for example to the pressures of competition for a proposed candidate or to other pressures for quick action -- as justifying the procedural shortcuts appropriate to true "targets of opportunity." We hope that the lengthened lead time and increased flexibility resulting from our other recommendations will minimize the incidence of such emergencies. They will nonetheless occur and appropriately trigger efforts to speed up our regular procedures, but not to short-circuit them.

D. Affirmative Action and Slot Allocation

We support the stated policies of the university designed to find and appoint to the faculty qualified women, members of racial and ethnic minorities, and handicapped persons. Under these policies the availability of such a person for a position, tenured or nontenured, will in many cases add an extra positive consideration to a department's request for an incremental position. To preserve clarity we prefer not to call a case of this kind a "target of opportunity," although it is of course possible that a "target of opportunity" will be a woman or a member of a minority group or both. We also see no reason to distinguish between external and internal candidates in the handling of such slots and appointments, or to deviate from normal procedures of search, external references, and review by departments and appointments committees. The slot authorization may be contingent on the success of a particular affirmative action candidate. But the department's decision whether to propose the appointment or not should be made by the normal criteria. The CSA should also employ normal procedures and standards.

E. Definition of Positions

How shall a position be described when it receives budgetary authorization and search approval, when it is announced and advertised, when opinions of candidates are solicited from referees? This is a very important question, but not one on which it is possible to formulate rules that can apply to the variety of cases.

In general, we believe, the Provost, the deans, and the divisional and appointments committees should resist narrow definitions, and insist that persons proposed for tenure compare favorably not only with scholars in their immediate specializations but with scholars across the discipline as a whole. They should resist, in particular, a description of a position tailor-made for a favored candidate by limiting the substantive field of interest and the group of scholars with whom the candidate is compared. Certainly there are major fields which a department must cover for instructional and intellectual reasons, and distinction in any one of them makes a strong *prima facie* case for a candidate. But when available tenure candidates in a whole field seem weak relative to others in the discipline, it is worth asking whether it must be covered continuously by a full professor.

F. The Executive Committee of the Faculty of Arts and Sciences

The Executive Committee of the Faculty of Arts and Sciences apparently arose from the need for a group representing the administration to which joint actions of the faculties of Yale College and the Graduate School might be referred.* Originally consisting of the President, the Provost (as chairman), the Dean of the Graduate School and the Dean of the College, the group has gradually been en-

larged to include the Directors of the four Divisions as well as other members of the administration including the Vice President for Finance and Administration and the University Librarian. Technically and constitutionally, all but the four senior officers serve in an advisory role although formal votes are rarely taken.

In most of its deliberations the Executive Committee serves as an advisory group to the Provost, who must take responsibility for decisions with significant budgetary implications, and, less frequently, as an advisory group to the President on policy matters having significant impact on the Faculty of Arts and Sciences, i.e., on the joint faculties of the Graduate School and of Yale College. Since in Yale's tradition most of the administrative officers of the faculty come from the faculty and usually return to it, the Executive Committee provides an important channel for direct and immediate faculty influence on major issues. In this connection, the role of the divisional directors is of major importance.

While the status and structure of the Executive Committee is well suited to deal with matters of strategy and policy presented to it, either by formal action of the two faculties or by the action of individual departments, its decisive role in determining the shape and substance of the faculty through "slot allocation" or through "target of opportunity" approval is not always supported by deliberate and informed review. Divisional committees are sometimes reluctant to pass judgment on strategic issues having immediate impact on their constituent departments. However, longer range goals can and should be carefully shaped and seriously debated several years in advance, as we have argued above. By their nature, "target of opportunity" decisions frequently cannot be subjected to protracted analysis. They can, however, be required to fit into long-range programs previously designed by the Academic Review Committee and discussed with divisional committees.

In reaching short-term decisions within the framework of long range plans, it is important that the Executive Committee have the benefit of informed, unbiased faculty advice. As stated above in section B, p. 23, we are particularly concerned with tenure slot allocations that significantly modify or accelerate previous projections.

(IV.5) We recommend that, in cases of proposals for "target of opportunity" positions or for other positions whose authorization would significantly modify or accelerate previous projections, the Provost select an ad hoc group of members of the divisional advisory committee or other faculty members to advise the Executive Committee on the academic merit of the proposal and its relationship to

*We observe in passing that the name of the Committee is misleading and confusing. It is an Administration committee for, not "of," the Faculty.

the long range development of the department, the division, and the faculty.

V. Departmental Procedures in Search, Evaluation of Candidates, and Decisions on Appointments and Promotions

A. Search

It is the established policy of the University to conduct wide, non-discriminatory searches to identify candidates for all ladder faculty positions. Our committee surveyed department chairmen regarding current practices of search, evaluation, and decision-making. We found that all departments regularly advertise the availability of positions for new junior faculty, and the vast majority of departments advertise available tenured positions. Most departments rely on a variety of sources of information to identify candidates. Responses to advertisements and letters solicited from external colleagues are used most frequently in the case of junior appointments, while external letters and the knowledge of the department's own faculty are the primary sources of information in determining a list of candidates for senior positions.

We find the present policies and practices regarding search for candidates for junior positions to be satisfactory, although we recommend in Chapter VII several measures which should improve Yale's performance in attracting qualified women and minority candidates. In filling tenured vacancies, however, the search process is sometimes less than satisfactory. In some cases, a "search" consists of a series of discussions among the department's permanent officers, followed by identification of a preferred candidate, followed by a decision to seek external letters on the qualifications of the chosen candidate. In our view, such a procedure makes insufficient use of evidence from external experts in the field in which the candidates are sought. In the following section we propose a new standard procedure for soliciting outside letters.

B. Letters

Letters from external referees are an indispensable source of evidence on the qualifications of candidates for ladder faculty positions. Letters are especially valuable in determining the quality of candidates for tenured appointments, where the established policy of the Faculty of Arts and Sciences is that "candidates for professorships are expected to stand in competition with the foremost scholars in their fields throughout the academic world." (Faculty Handbook, V.B.2, p. 23)

Our survey of chairmen indicated that only about half the departments in the Faculty of Arts and Sciences normally solicit letters prior to the selection of a preferred candidate for a tenured vacancy. Letters solicited after a preferred candidate is selected usually ask referees for an evaluation of the specific candidate and for comparison with other leading scholars in the field. The latter

procedure is standard when the department wishes to promote one of its nontenured members. Such a solicitation may produce fair evaluations of a leading candidate's strengths and weaknesses, but typically it does not produce comparative evaluation as accurate or detailed as would a request for information about a list of candidates where no leading candidate is indicated. Therefore,

(V.1) we recommend that during a search to fill an authorized tenured position, the department request letters of advice from four to seven external experts of recognized distinction in the field of the position. The letter of request shall name four to eight candidates whom the department is considering, including any who are nontenured faculty members at Yale, without indicating the department's tentative preference. The referees will be asked to comment on the absolute and relative qualities of these candidates and of any others they wish to recommend. All responses to these "blind" requests will be submitted with the department's eventual proposal to the CSA. If the blind letters fail to provide sufficient detailed evidence about a particular candidate, the department may solicit subsequently two or three letters requesting specific information about a single candidate. Exceptions to this procedure may be appropriate in particular cases, among them targets of opportunity of clear pre-eminence, as discussed in IV.C and recommendation IV.4.

The Provost's memorandum of instructions to chairmen regarding appointments procedures contains samples of letters to be sent to external referees. Our recommendations alter the character of such letters, and therefore we append to this chapter suggested drafts of new sample letters.

In the case of appointments to the rank of associate professor letters will provide useful evidence about whether a candidate is of "sufficient promise and achievement to qualify for tenure at a major institution within five years." (Faculty Handbook, V.B.1., p. 23)

(V.2) We recommend that, in appointments to the rank of tenured associate professor, the department request letters of evaluation from three to five recognized experts. A specific candidate for the position may be identified in such letters, and referees should then be asked to evaluate the candidate's promise and achievement in comparison with others at a similar stage in professional development. Some but not all such referees may be selected from a list provided by the candidate. Alternatively the department may use blind letters as for tenured positions (recommendation V.1).

(V.3) In cases of initial appointments to the rank of assistant professor, we recommend that at least two letters of ref-

erence normally be furnished by referees of the candidate's choosing. For reappointments to the same rank, whether assistant or associate professor, we recommend that normally no letters be solicited.

C. Regular Departmental Review of Nontenured Faculty

Departments are now required to review each person holding a term appointment of three or more years in time to inform her of a decision on reappointment or promotion at least one year before the terminal date of the appointment (Faculty Handbook, III.E., p.8). A person on a two-year appointment is to be informed at least six months before the expiration of her term, and a person on a one-year appointment at least three months before its expiration. Assistant professors on three-year appointments may waive the notification requirement by asking in writing for postponement of decision until December 1 of the terminal academic year.

We find that assistant professors and term associate professors have legitimately complained that they are not kept informed of their departments' judgments of their performance and of their prospects for reappointment or promotion. Guidance has become especially important in today's academic markets, which in most fields limit opportunities for tenure at Yale or elsewhere. The University and its departments have an obligation to help junior faculty make informed decisions about their careers. This obligation is particularly compelling for Yale because of our unusually long, ten-year, allowable time in nontenured ranks.

- (V.4) We recommend that the department chairman or his delegate meet annually with each nontenured faculty member to discuss her performance, progress, prospects, and problems. At least biennially this meeting should follow a discussion of the case by the relevant body of the department, the tenured members, augmented by the associate professors at the department's discretion in the cases of assistant professors. This discussion should be based on a report, by one or more members of the body who have examined the writings of the individual and the current information about her teaching and other activities in the university and the profession. Information should also be sought from any other departments or interdisciplinary programs in which the individual has participated. The mandatory review prior to the end of a term should fall naturally into this schedule. Following each review, the chairman should discuss with the faculty member the department's findings and its views of her prospects for reappointment and promotion. These reports should be increasingly specific for a faculty member in a final term. The chairman has responsibility to keep a nontenured colleague in this status informed about the faculty's and department's procedures for appointments and promotions,

and so far as possible about the likely availabilities of tenured positions. A nontenured faculty member may, because of actual or prospective outside offers or because she wishes to decide whether to seek employment elsewhere, ask the department for a decision on reappointment or promotion before the appointed time. A review carried out in response to such a request no more than a year before the required time may, at the department's discretion, serve as its final review.

D. Final Departmental Review of Nontenured Faculty

A Yale faculty member has no presumptive "right" to reappointment or promotion. As stated in the Faculty Handbook:

In making any appointment to the faculty the University seeks to appoint the best candidate for the position, whether or not the candidate is currently affiliated with the University. (III.H., p. 11)

Nevertheless, when tenured vacancies exist, internal candidates have the right to be considered:

Nontenured persons do not have a presumed right to be considered for tenure unless there is an authorized vacancy. (Faculty Handbook, III.C., pp. 7-8)

A nontenured faculty member has further rights. She must receive an advance notice of termination (Faculty Handbook, III.E., p.8). Failure to recommend promotion must be reported to the Provost (Faculty Handbook, III.H.3, p. 13), a provision that enables the Provost at his discretion to initiate a review in case there may be broader university interests that were not fully considered or some misunderstanding about the availability of positions.

The force of these provisions, and of the prevailing but not invariable practice of departments of FAS, is that all nontenured faculty are entitled to a review of their qualifications for reappointment or promotion prior to the end of their terms. This right surely extends to those who are approaching the end of their permissible stays at Yale in nontenured ranks, whether or not there is an "authorized vacancy." This interpretation is only common sense, because a department which lacks an authorized vacancy always has the right to appeal to the Provost to obtain one. There is always the possibility that review of a nontenured faculty member will reveal such outstanding quality that the case for a new position or for anticipating a future vacancy is compelling.

(V.5) We recommend that the Faculty Handbook make clear that a nontenured faculty member is entitled to a departmental review of her qualification for promotion to tenure in the next-to-last year of the last term appointment for

which she is eligible, whether or not an authorized vacancy exists.

A further question involves the nature of the review to which a nontenured faculty member is entitled to at that time. Is it simply an internal review by the permanent officers of the department? Or must the review include the solicitation of the written views of external referees? Our judgment is that only an internal review should be required, followed by a vote of the permanent officers of the department.

(V.6) We recommend that the final departmental review of one of its members who will necessarily be terminated if not promoted to tenure be a thorough, systematic review of the qualifications of the person for tenure at Yale, generally on the basis of a report by a subcommittee which examines his publications, other writings, teaching record, professional standing, and service to the department and university. The permanent officers of the department will vote whether to consider the person as a candidate for any authorized tenure vacancy available or to seek an authorized vacancy for which the person under review would be a candidate. If the vote is affirmative, and if and when a vacancy is available, the department will proceed with a normal tenure search in which the person under review is one of several candidates. In any event the vote will be reported to the Provost.

(V.7) We recommend that all final departmental reviews be completed by the end of the fall semester of the penultimate year of the faculty member's term appointment. Failure to adhere to this schedule would normally make it impossible to complete a search, were a tenured vacancy authorized as a consequence of such internal review.

E. Voting on Appointments, Reappointments, and Promotions

The By-Laws of the Yale Corporation indicate that nominations for appointment to the faculties of Yale College and the Graduate School, unless initiated by the President, must be initiated by vote of the permanent officers of a department. In meetings on such nominations the permanent officers "may invite to attend, with vote, members of...their Department who are not permanent officers but who hold rank equal or superior to that of the position to be filled" (By-Laws of the Yale Corporation, §39, p. 20)*.

* The By-law does not deal with steps within ranks, appointments of persons at Yale or elsewhere to another term at the same rank at Yale. This can occur both for assistant professors and associate professors. Clearly there are some possible anomalies if newcomers vote on reappointments of their seniors in the same rank. On

Our survey of chairmen indicated that most departments follow the permitted practice of granting voting rights to all members at or above the rank of the position to be filled, although in some departments only permanent officers vote on all appointments. A significant minority of departments indicated that junior faculty members are consulted informally for their views on tenure appointments.

We see no reason to alter the established policy, but

(V.8) we recommend that the permanent officers of departments in which nontenured faculty have no voice in appointment at or below their rank reexamine the rationale for their departmental policy in light of the prevailing practice to the contrary.

The By-Laws of the Yale Corporation also indicate that in all meetings on nominations for appointments departmental action shall be "by majority vote of those present and voting" (By-Laws, #39, p. 20). We find that in practice there is wide variation in departmental conventions for forwarding nominations for appointments to the relevant appointments committee. Some departments forward all candidates who achieve an affirmative majority of those present and voting; others require consensus; still others have informal conventions such as a two-thirds rule. We also find that some departments customarily take two votes on a candidate, an initial vote to determine whether the department's decision is affirmative or negative, and, if the first vote is affirmative, a subsequent vote to forward the nomination. In such cases, it often happens that department members opposed to the candidate but without strong reservations about the majority decision change their votes. When only the second vote is reported to the appointments committee, the committee is deprived of an accurate picture of the department's view of the candidate.

(V.9) We recommend that all actions on nominations for appointment be by majority of those present and voting, as stated in the Corporation By-Laws. We further recommend that all votes taken in the course of deliberation on a candidate -- including initial negative votes, votes to reconsider, votes to nominate for appointment, and affirmative votes to forward the nomination -- be recorded and forwarded to the relevant appointments committee. Such a procedure will not prevent a department from taking separate votes on the merits of a candidate and on the forwarding of a nomination, but under such circumstances both votes must be recorded and reported. In reporting

the other hand, since terms can differ in length, a first term assistant professor might be senior to a candidate for reappointment. This is a matter for departmental discretion and common sense, not for faculty-wide legislation.

votes to an appointments committee, or to the Provost in the case of negative votes on terminating nontenured faculty (recommendation V.6), we recommend that the department be required to indicate the number of members present and the number of members eligible to be present, as well as affirmative and negative votes and abstentions.

On occasion, a faculty member with strong views on a particular candidate is unavoidably absent from a decisive department meeting. In many cases, the absent faculty member will urge a colleague to make his views known at the departmental meeting. In the case of appointments to tenured positions, however, we believe that all permanent officers should have the opportunity to record votes in absentia. Since the deliberations of the group often influence the outcome, we believe that votes in absentia should be recorded only after the decisive departmental meeting. Moreover, in absentia votes should be tabulated separately and given less weight by the senior appointments committee than the votes of permanent officers present at the discussion of the candidate. Therefore,

(V.10) We recommend that following a decision to forward a nomination for a tenured position the department chairmen poll those permanent officers absent from the decisive meeting. Votes in absentia, which may include abstentions, should be recorded and reported separately from the ballots of those present and voting.

Suggested Sample for Blind Letter

(to replace Samples 1 and 2 in Provost's Memorandum
of October 15, 1980 re Procedures for Faculty
Appointments, Leaves, and Terminations for 1980-81.)

Dear _____

The Department of _____ has been authorized to make a tenured appointment at the rank of Professor. The appointment is to be in (description of field or fields defining the slot). The Department would like your assistance in identifying and evaluating candidates for this position. We will base our recommendation primarily on the prospects that a candidate will make distinguished contributions to the advancement of knowledge in his or her future scholarly career, but also on the candidate's qualities and promise as a teacher, colleague, and university citizen. While recognized achievements to date are essential evidence in estimating future accomplishments, we are prepared to consider all evidence of the potential of young scholars for significant original research.

In preliminary discussions we have identified the following candidates [list 4-8 in alphabetical order, with present affiliations; include any internal candidates in this listing]. Please add any others you think we should consider. Since Yale University is an equal opportunity, affirmative action employer, we would be especially grateful if you could bring to our attention any women or members of minority groups in this area of research and teaching.

We would be grateful for your comments on the candidates on our list, plus your additions. We are interested in your views of their suitability for appointment to the position, and in comparisons of their achievements and future promise. Specific comments on their strengths and weaknesses, as evidenced in their writing, teaching and other activities, would be most welcome. Please take differences in candidate's ages or career stages into account in your comparisons.

Your response will be helpful not only to the professors of this Department, but also to the Faculty Committee on Senior Appointments and the Permanent Officers of the Faculty of Arts and Sciences in case the Department recommends any of the candidates for appointment. On behalf of all of us, I thank you in advance for your assistance.

Sincerely yours,

Chairman

Suggested Sample for Specific Letter

Dear _____:

The Department of _____ is considering recommending _____ for appointment as Professor of _____ here at Yale.

[Either A, if applicable, or B otherwise, e.g. if target of opportunity].

A. In a previous letter you were so kind as to comment on a number of candidates for this position. The letters we received at that stage of our deliberations were most helpful, and they will be available to the faculty Committee on Senior Appointments and to the Permanent Officers of the Faculty of the Arts and Sciences in considering this recommendation. In addition, those bodies will need now somewhat more specific and detailed comments on the research achievements of _____ and on (his, her) promise as a scholar and teacher as a tenured member of our faculty. Once again, we thank you for your help.

B. We would be grateful for your views of the achievements and promise of _____ as a scholar and teacher, your specific characterizations of (his, her) past and likely future contributions, (his, her) standing in the profession at large and in (his, her) fields of interest, and in summary (his, her) qualification for tenure appointment at Yale.

Your response will be helpful not only to the professors of this Department, but also to the faculty Committee on Senior Appointments and the Permanent Officers of the Faculty of Arts and Sciences in case the Department proposes _____ for appointment. On behalf of all of us, I thank you in advance for your assistance.

Sincerely yours,

Chairman

VI. Supra-Departmental Review of Proposals for Ladder Appointments

In a smaller and simpler Yale the permanent officers of Yale College or of the Graduate School collectively reviewed and decided all proposed appointments. As the faculty grew and became more specialized, their tasks had to be delegated. As faculty came to teach in both Yale College and the Graduate School, the division of authority for appointment between the two boards of permanent officers made less sense. The structure of review and decision that evolved after World War II reflected these developments. But one thing did not change, the Yale tradition of faculty control of faculty appointments, unique among comparable universities. At Harvard, Princeton, Stanford, and Chicago, for example, the President exercises the final authority which at Yale is with rare exceptions vested in professors who are deliberately styled permanent officers of the university. This tradition is of the greatest value for the unity and collegiality of the faculty, as against the inevitable centrifugal forces of departmental specialization. The present structure of review and decision has maintained it, and we too are determined to preserve it.

Departmental proposals are reviewed by Junior and Senior Appointments Committees. The Junior Appointments Committee (JAC) reviews all proposed new appointments and reappointments to the ranks of instructor and assistant professor, and all promotions to assistant professor. It also has some responsibilities with respect to non-ladder appointments, not considered here. Recommendations approved by the JAC are reported in writing to the Joint Boards of Permanent Officers (JBPO), whose approval is assumed unless objection is raised and the case brought to discussion and vote. The JAC is appointed by the President and chaired in alternate years by the Dean of Yale College and the Dean of the Graduate School.

The four Committees on Senior Appointments (CSA), for the divisions of Humanities, Biological Sciences, Physical Sciences, and Social Sciences receive recommendations for ladder ranks above assistant professor and for more senior non-ladder ranks. On approval by a CSA, a proposal goes before the JBPO, which always discusses and votes on tenured appointments. Recommendations approved by the JBPO, by vote or tacit consent, are forwarded to the Corporation for action. The CSAs consist of members of the Divisional Advisory Committees augmented by the two FAS deans and by two faculty members from other divisions. By Corporation By-Law the President appoints the committees; in practice he may delegate selection of members to the Provost and the deans. The committees are chaired alternately by one of the two deans, except that the Dean of the School of Medicine alternates with the Dean of the Graduate School in chairing the CSA in Biological Sciences. The Provost may augment the Divisional CSA ad hoc by two or three additional voting members from other divisions, when the candidate's field does not fall clearly in the domain of an established CSA. Moreover, the Committees, independently of interested departments, have on occasion sought advice, given in

person or in writing, from outside Yale. The Dahl Committee explicitly encouraged this practice.

A. The Junior Appointments Committee

(VI.1) We recommend that the dean who is chairman refer only problematic cases to the Junior Appointments Committee for deliberation and formal vote. He will report other cases in writing to the committee, whose assent will be assumed unless a member asks the dean to bring the case forward for discussion and vote.

Considerations: At present the committee and the department chairmen required to present cases are overloaded by reviewing all cases, almost all of which are necessarily routinely approved. The time and effort of the committee will be better spent on difficult and problematic cases, and in surveillance of and advice to departments which appear to have difficulty making quality appointments. The committee might do well to spend less time on specific cases and more time on discussing with departments, on a rotating schedule, their general policies, procedures, and performance in recruitment of junior faculty.

B. The Committees on Senior Appointments

(i). Composition of Committees.

(VI.2) We recommend that the President or his delegate not routinely appoint to each CSA two representatives of other divisions. Rather, the President or his delegate should appoint at his option professors from other divisions or schools especially qualified to evaluate appointments in the division. Any persons so appointed should normally also be members of the divisional advisory committee. (The option to appoint persons from faculties other than FAS requires amendment of Corporation By-Law 39.)

Consideration: The weight of experience is that cross-divisional members who lack expertise in the division are of little reliable help.

(ii). Procedure in Tenure Cases.

In Chapter V we recommend that the proposing department be required to obtain four to seven "blind letters" with respect to each authorized position prior to its decision (targets of opportunity excepted). These letters are to serve as basic external reference letters for the CSA. They should be supplemented with two or three letters regarding the specific research contributions and other qualifications of the department's proposed candidate in cases where the blind letters are not sufficiently informative. In the cases of

approved "targets of opportunity" (see Chapter IV), blind letters are not required and specific letters suffice. The dean-chairman and division director may obtain further letters prior to or in course of CSA deliberations on any case.

Blind letters and other evidence will sometimes rank the proposed candidate lower than other scholars and discuss her shortcomings as well as virtues. The CSA should not regard such letters as disqualifying if the committee can satisfy itself that the department's choice is justified on grounds of merit, availability, and suitability for Yale.

The department will report its vote on the proposal (see Chapter V). The chairman, with no more than one other witness, except in special cases with the permission of the chairman of the CSA, will present the department's case and answer questions of CSA members. In addition,

(VI.3) We recommend that it be made clear to all permanent officers of the faculty that they have a standing invitation to write to the CSA to express their views on any proposal of their department.

A CSA frequently includes one or more members from the proposing department. They now take part in CSA deliberations, including those in camera, but do not vote.

(VI.4) We recommend that a CSA member from the proposing department be excused at the same time that the chairman and other departmental witnesses are excused, but take an active part in the preceding discussion.

(VI.5) We recommend that the CSA take up each tenure proposal in at least two distinct meetings. The final discussion and vote, with only voting members of the CSA present, should normally be at least one week after the CSA discusses the case with the department chairman and other witnesses. When this is not possible, there should nevertheless be a distinct break between sessions.

(VI.6) We recommend that in each tenure case the CSA consult face to face no less than three persons expert in the field of the proposed appointment. At least two of the consultants shall not be regularly employed by Yale. One or more of the others may be permanent members of a Yale faculty, but not of the proposing department. The consultants for each case will be selected and invited by the dean-chairman, with the advice of the director of the division. They will consider nominations by the department, but will not be confined to those names. The consultants may, but need not be, persons from whom letters regarding the appointment were solicited. The consultants will receive the dossier in advance, and will

participate in the CSA's discussion with the departmental chairman and witnesses and in any further discussion the CSA desires. The consultants will, of course, have no vote, nor will they be present at the voting meeting of the CSA.

The CSA should normally ask both departmental witnesses and consultants about other possible candidates for the position. If the proposed appointment is not consummated, whether because the CSA or the Joint Boards decide against it or because the candidate declines Yale's offer, the department may later propose one of the other candidates. If the dean judges that earlier consultation on one or more previous proposals gave the CSA sufficient information about a proposed candidate, he may decide not to invite consultants for the current proposal.

The purpose of consultation with outside experts in each case is to enable the CSA to supplement by conversation the written information regarding the candidate and her standing in the field and the evidence presented by the proposing department. As the break between the informational sessions and voting sessions will make clear, the decision remains wholly the CSA's, in keeping with the important traditional principle that Yale faculty have the responsibility for Yale appointments. The CSAs have been diligent and effective in protecting, on behalf of the faculty as a whole, the quality of permanent appointments and in bringing to bear, in addition to the specialized concerns of the departments, the broader considerations of the Yale faculty and university. Frequently, however, CSA members are judging research and writing in fields they do not know well, comparing the proposed appointee with other scholars they know little about, relying heavily on nuances and adjectives in letters of reference that are sometimes difficult to calibrate.

Chairmen and departmental witnesses provide useful information, of course, but they are necessarily advocates of the proposal. Currently the CSA depends for more disinterested expert information on any of its number who happen to be members of the proposing departments, placing such committee members in an awkward position and possibly giving them inordinate weight in the decision process. Our recommendation relieves committee members from the proposing department of this burden. Face to face consultation with independent scholars provides the CSA with expert testimony and appraisal, responsive to the concerns and questions the CSA develops as it considers the case and hears it presented by the department. Moreover, such consultations will have a cumulative impact, in educating deans, directors, and CSA members concerning the strategies and standings of Yale departments.

We recognize that the use of consultants entails moderate expense, prolongs the appointment process, and complicates its logistics. Appointments of professors without term are probably the most important decisions a university makes, and considerable university resources, largely in faculty time, are already devoted to them. We

are willing to accept some extra costs in dollars and in convenience for the purpose of strengthening the process of decision. It should not be difficult or costly, given Yale's location and stature, to assemble with time and experience a roster of trustworthy and wise outside scholars in most disciplines. In this connection, we note that outside scholars who develop interest and knowledge of Yale as members of Alumni Council visiting committees might on occasion be natural choices as CSA consultants, and vice versa. (In our view, incidentally, visiting committees are a good idea, but at Yale their missions have been too diffuse and their visits too short to make them effective in assisting either the departments they visit or the officers of the Corporation.)

As for time and schedule, we observe that the principal bottlenecks today are (a) decision-making within departments -- once they have reached decisions they desire and need quick action from the CSA and crowd the second-semester calendar, and (b) the late dates in a recruiting season at which slot allocations and search authorizations are sought and given. In Chapter IV we recommend that slot allocations for the next academic year and search authorizations be made beginning in January, jointly with or immediately following the annual budget cycle. It is true that such decisions concern the next budget, but planning more than a year ahead is intrinsically good practice. We also recommend in Chapter IV that Departments be given regularly an advance schedule of tenured positions they can expect to fill, relatively certain for five years ahead, and probable for another ten years after that. The schedule would average out the irregularities of retirements, deaths, and resignations. We understand that advance planning of this kind is already taking place in the Provost's Academic Review Committee. If these things are done, the dean-chairman of the CSA and the divisional director should be able to consult with department chairmen in the preceding spring and early fall of each academic year and arrange a schedule for the CSA. Departments would then have to meet the schedule, which would allow time for the appointment of consultants with respect to the slots for which the departments plan to make proposals.

We recognize that there will occasionally be targets of opportunity and emergencies requiring quick action. The preceding suggestions, and other procedures the deans, directors, and chairmen may adopt, should prevent every proposal from becoming an emergency. In a true emergency it will still be possible, we expect, to follow the recommended procedures, although the consultants may not be those of first choice. We are reluctant to specify circumstances justifying exceptions, but in the end we trust President, Provost, and deans to decide when the interests of the University transcend any established rules and justify the risks of accelerated procedures.

(iii) Procedures with Respect to Associate Professors on Term and Other Non-tenured Appointments.

As we stated in III.B above, we feel in general that the CSA should attach more weight to the department's judgment than is appropriate in scrutiny of tenure proposals.

- (VI.7) We recommend no change in existing CSA procedures on nontenure proposals except that CSA members from the proposing departments be excused at the same time as witnesses presenting the department's case. That is, consultants are not required, and no hiatus between the informative session and the decision session is called for.

C. The Joint Boards of Permanent Officers

Review by the JBPO of departmental and CSA proposals is a crucial feature of faculty control of appointments, a valued Yale tradition lacking in our sister institutions. Though the vast majority of proposals brought to the JBPO are approved, the review has on occasion saved the faculty from mistakes. Making the case to the faculty at large saves departments and divisions from excessive parochialism, and anticipation of this step in the review process is an important discipline. The faculty benefit from knowing more about other departments and their personnel.

The problem with the JBPO has been low attendance, sometimes largely confined to chairmen with proposals on the agenda and other members with interest in particular cases. This can lead to routine ritual, or to random and unrepresentative outcomes. Our recommendations are directed towards assuring a significant and representative attendance.

- (VI.8) We recommend the designation at the beginning of each academic year of "quorum members" of the JBPO. These would be (a) those members of the JBPO who are members of the four divisional CSAs, and (b) members designated by the departments by report to the presiding dean, in number either two or one-sixth of the number of permanent officers in the department (rounded to the nearest integer), whichever is larger. In this calculation, permanent officers with primary appointments in the department will be counted, whether or not on leave. The special responsibility of the quorum member of the JBPO is to acquaint herself with the agenda of JBPO meetings and to attend the meetings, or at a minimum to arrange for an informed alternate to attend. All other permanent officers, of course, have as always the right and responsibility to attend, participate, and vote. A quorum for the conduct of business at a JBPO meeting shall consist of one-sixth of the membership not on leave and

no vote shall have force if the number of votes, including recorded abstentions, falls short of a quorum.

By tradition the presiding dean does not forward to the President and Fellows proposals that receive, in his judgment, a significant portion of negative votes and abstentions in the JBPO. He refers such a case to the Executive Committee of FAS to decide whether to forward it, to schedule it for another JBPO vote, or to return it to the CSA or department for reconsideration. Significant failure of consensus is not formally quantified, so that the dean's judgment may take into account the tone of the discussion as well as the arithmetic of the vote. This system has advantages, especially in view of the random and usually sparse attendance at JBPO meetings. It is no lack of confidence in the good judgment of the dean or in his commitment to evoking and reporting the sentiment of the faculty that leads us to the view that a more formal rule will be appropriate under our proposed quorum system.

(VI.9) We recommend that the dean forward all proposals, and only those proposals, which, among a total vote no smaller than a quorum, receive affirmative votes from two thirds of those voting.

The deans should find opportunities to bring to the Joint Boards agenda other than appointments for discussion though not necessarily for vote. These agenda should be matters appropriate for exclusive consideration by the senior faculty rather than by the full Yale College and Graduate School faculties. Examples are the issues of appointments policy and procedure addressed in this report.

D. Interdisciplinary Programs

The department is almost always the initiator of proposals for appointment and promotion, and except for the President's power to make nominations to the Corporation, the By-Laws and Faculty Handbook envisage no way to appoint anyone to the FAS without nomination by a department. Nevertheless Yale has established a number of interdisciplinary programs of teaching and research, some of which have authorized positions and budgets to finance partly or wholly appointments proposed by departments. Clearly it is desirable that the interests of these programs and their evaluations of teachers and scholars be considered in appointments, promotions, and terminations, both by departments and by appointments committees.

The Dahl Committee recommended a procedure by which divisional directors would keep the heads or senior members of interdepartmental programs informed of all cases of interest to them, so that they could make their views known to the relevant department, divisional, and appointments committees. The procedure has not been consistently followed. We urge the deans and divisional directors to devise an effective mechanism.

VII. Affirmative Action

In 1967 the U. S. Department of Health, Education, and Welfare, pursuant to the Civil Rights Act of 1964, began to require of colleges and universities affirmative action plans for increasing employment of women and minorities. Since 1970 Yale Presidents and Provosts have repeatedly affirmed the University's commitment to equal employment opportunity and have set forth policies designed to carry out the commitment and to satisfy the guidelines of HEW and the Department of Labor. The most important statement of Yale policy was that of the Corporation on 7 February 1975:

The Yale Corporation has asked the University officers to make it clear that Yale remains firmly committed to affirmative action to increase the number of women and minority persons on all faculties. While the Corporation does not interpret recent government memoranda as retrenching or relaxing HEW concern with affirmative action, the Corporation wishes to reaffirm its own commitment quite without regard to changes in public or official opinion.

In the current political climate, when federal policies may change even further, it is more important than ever that Yale uphold this commitment.

In terms of numbers of new tenured appointments in the FAS, Yale has been making good progress, especially in its recruitment of women. Out of 104 new tenured appointments made since 1973, 14 have been women and 9 have been members of minority groups. However, the proportion of women and minority members of FAS remains small. In 1973 there were 26 minority members and 58 women out of a total of 645 faculty in ladder ranks in the Faculty of Arts and Sciences. In 1981 the figures were 47 minority and 81 women out of 612. In 1973, 15 minority and 6 women were tenured members of FAS, out of a total of 317 tenured faculty. In 1981 the figures had risen only to 20 minority and 16 women.

Because of affirmative action, job vacancies are advertised much more widely than they were a decade ago. Consequently competition for those positions is broader and more open than before. This is a desirable change even if it has resulted in fewer gains for women and minorities than expected or hoped.

We believe that Yale University should continue the affirmative action policies outlined by President Giamatti on 29 February 1980 and stated in the Faculty Handbook. We do, however, recommend some specific changes in procedures. The implementation of affirmative action policies has imposed extra work on departments and search committees. There are, unfortunately, few ways to reduce the effort and paper work of compliance and at the same time retain an effective affirmative action plan. We do feel, however, that greater assistance to departments and committees at the outset of searches can

both reduce the burdens on them and assure implementation of the guidelines.

(VII.1) We recommend that, as soon as practicable after receiving budgetary authorization for positions for which search will occur during the coming or current academic year, the department chairman describe the plans for the search to the affirmative action officer (AAO) of the Provost's Office. After obtaining approval of the plans, the chairman will inform the AAO of any members of the department, other than the chairman, who will be responsible for the searches, e.g. by chairing search committees. The AAO will see that these persons are informed of the affirmative action guidelines and procedures and are provided with the necessary forms. Prior to the department's decision to recommend a candidate for appointment, the department chairman or the person responsible for the search will obtain the approval of the AAO regarding the adequacy of the search and its conformity with the guidelines. At the time the department proposes a candidate for appointment, it should forward the affirmative action document along with other supporting material to the relevant appointments committee.

(VII.2) We recommend that the affirmative action office take a more positive role in promoting equal employment opportunities. The office should develop and maintain a file of journals, professional societies, universities, and other institutions to which announcements and advertisements of positions should be sent, and take the responsibility for helping departments draft them and for sending and placing them. Likewise, the compilation of statistics about applicants and appointments should be centralized in the affirmative action office. The office, rather than the department, should have the responsibility for soliciting from applicants and candidates the profile data needed in these compilations, particularly the data on race, sex, and ethnic origins. For this purpose the department will provide lists of applicants as soon as the searches are completed.

Elsewhere we recommend (IV.1) a position allocation schedule -- budget authorizations and search approvals beginning in the January preceding the academic year -- that will allow more time for search. A by-product advantage of the proposed schedule is to allow more time for effective implementation of affirmative action, in spirit and in letter.

The divisional Committees on Senior Appointments share with departments and with the Provost's office the responsibility for fulfilling Yale's commitments to equal opportunity and affirmative action. To this end,

(VII.3) we recommend that the report on the search, submitted by the department and approved by the affirmative action officer in the Provost's office, be included in the candidate's dossier circulated to each member of the Committee on Senior Appointments.

Finally we note the commendable temptation for corporation officers, deans, and chairmen to appoint nontenured women and minority faculty members, in an informal representative capacity, to committees and administrative assignments. These faculty members understandably feel, on their part, responsibility to serve. Both sides must exercise restraint, or else the burden may hinder the academic progress of these faculty members and diminish their chances of earning promotion. Improvement in the numbers of women and minority members with tenure in the FAS depends in large degree on recruitment and development of junior faculty who can qualify for promotion to tenure.

(VII.4) We recommend that deans and department chairmen advise all nontenured faculty of the reasonable extent of their responsibilities to undertake administrative assignments or other non-instructional duties, and that they invite nontenured faculty members to discuss with them invitations to serve on departmental, college, faculty, and university committees. It is, in particular, important to help women and minority faculty members, who are likely to receive many requests of this kind, protect the time they need for research and teaching.

VIII. Grievances and their Resolution

A well designed system of procedures governing faculty reappointment and promotion requires the availability of a channel of appeal to any faculty member who feels that he has been treated in an unfair or discriminatory manner. Under established university policy, a faculty member may seek review of a decision on reappointment or promotion if he believes that university procedures have not been properly observed or if he believes that he has been discriminated against because of race, color, religion, sex, handicap, or national or ethnic origin (Faculty Handbook, III.I., p. 14). In the Faculty of Arts and Sciences, the review process consists of five stages (Faculty Handbook, III.I., pp. 14-15).

1. A faculty member with a complaint may consult on a confidential basis with an advisor, chosen from a group designated annually by the deans. The advisors are presumed to be well informed about the appointments process and review procedure.

2. After initial consultation, the faculty member may appeal to the appropriate dean for action and mediation. The dean may elect to impanel an advisory committee.

3. If the matter is still unresolved, the faculty member may appeal to the Provost (or to the President, if the Provost is involved in the alleged procedural breach). After a preliminary review, the Provost or President may decline to consider the appeal if it is "clearly without merit," or if normal administrative remedies, including consultation with the appropriate dean, have not been exhausted. If the appeal is not dismissed, the Provost or President is required to impanel an ad hoc review committee.

4. The review committee considers the complaint and reports to the Provost or President.

5. The Provost or President issues a decision in writing to the complaining faculty member and relevant department.

We believe that the review procedures described above are workable, and we believe that they have performed satisfactorily in the handful of cases that have arisen in the recent past. Nevertheless, the present system could be improved in several respects. First the procedures are unduly cumbersome from an administrative standpoint. An appeal carried forward through each stage could conceivably require two reviews by a dean (before and after impaneling an advisory committee), two committee reviews (one at the level of the dean, one at the provostial level), and two reviews by the Provost (before and after selecting a review committee). Second, present policy gives no indication of time guidelines for each stage of the process. The procedure as designed could consume many months, possibly spanning two academic years. Third, there is a question whether the interests of the complaining faculty member and those of the university are best served by the use of ad hoc committees in each case, or

whether a standing review committee would be more satisfactory. Fourth, the rights of the complaining faculty member are not indicated explicitly. It is unclear whether a complainant has a right to appear before an advisory committee appointed by the Dean, or before a provostial review committee. It is also unclear whether a complainant has a right to inspect relevant documents. Finally, the role of the advisor is not well specified under current policy. In consideration of the first of these concerns about the present policy,

(VIII.1) we recommend that the grievance procedure be simplified as follows: If a complaint cannot be resolved by an informal consultation among the parties directly involved, the complainant may appeal in writing to the dean currently serving as chairman of the relevant appointments committee. The dean should attempt to seek a resolution through consultation with the relevant parties, but we see no need for impaneling an advisory committee as permitted under current policy. Should the dean's attempt at resolution fail, the complainant may then appeal directly to a standing review committee, which will hear the case. A faculty member who feels that the dean, perhaps by virtue of prior involvement in the action giving rise to the complaint, is unlikely to achieve resolution may appeal directly to the review committee. The review committee upon conclusion of its deliberations should report to the Provost, who will accept the committee's findings of fact. If the Provost disagrees with the actions recommended by the committee, he should discuss the matter with the committee before taking final action. The Provost will issue a final decision in writing. The details of the procedure we recommend are fully specified in Appendix B, which constitutes our recommendation for a revised Faculty Handbook description of the review procedures.

Our recommended procedure eliminates two steps (a deaconal advisory committee and an initial provostial review) from the present review process. On this ground alone, review should be completed more speedily. Nevertheless, we feel that explicit time guidelines should be indicated in order to minimize the probability of a protracted review. Therefore,

(VIII.2) we recommend that the dean's inquiry be carried out normally within a period of 14 days from receipt of a written complaint. We recommend that the review committee report to the Provost within 45 days of receipt of a written complaint, and we recommend that the Provost issue a final decision within two months of the committee's receipt of a complaint. Thus, the entire review process should normally be completed within a three month period.

(VIII.3) We further recommend the use of a standing review committee, appointed by the President in consultation with the deans and Provost.

A standing committee has several major advantages over an ad hoc committee. A standing committee will develop expertise with regard both to precedents and to efficient modes of operation. With an ad hoc committee, a considerable amount of time is necessarily spent getting organized, establishing procedures, and clarifying roles. This work can be minimized with a standing committee, permitting greater consistency in both procedures and decisions, as well as saving time. (Moreover, a standing committee is less vulnerable to the perceptions of interested parties that the Provost has rigged the jury, although there are methods of appointing ad hoc committees that avoid this problem.)

An internal grievance procedure is not a legal proceeding, and we feel strongly that the deliberations of a review committee should not have the atmosphere of a courtroom. Nevertheless, fair treatment of faculty members with grievances requires that complainants be accorded some clearly defined rights.

(VIII.4) We recommend that a complaining faculty member have the explicit right to appear before the review committee, to propose that the committee interview relevant witnesses, and to inspect all relevant documents not written under presumption of confidentiality.

(VIII.5) We recommend that the faculty member have a right to be accompanied by an advisor in meeting with any university official or with the review committee. The advisor may be a member of the designated panel, or any other Yale faculty member that the complainant chooses.

Our recommendation concerning the right to appear and the right to propose witnesses is an affirmation of existing practice, but we feel that it should be stated as explicit policy. The right to inspect non-confidential documents, such as the text of letters sent out to external referees, should in fairness be available to the complainant. We do not feel that the complainant has a right to examine letters received from outside referees, although there may be exceptional circumstances under which fairness requires a revelation to the complainant of the substance of a letter without revealing the source, or, alternatively, of the names of the external referees without indicating the substance of their letters. These exceptions involve delicate matters of judgment which should be left to the discretion of the review committee.

A faculty member with a grievance has, of course, every right to retain outside counsel. We do not, however, believe that it is appropriate to involve legal counsel in the internal conflict resolution mechanisms of the university. In discussions with university

officials or with the review committee, we believe that the interests of the complainant are adequately served by permitting the attendance of an advisor who is a member of the faculty. Such an advisor can serve as a source of information and support for the complainant, and as a witness to conversations of which the complainant may later need to have accurate recollection.

IX. Nonladder Appointments for Instruction and Research

A. Instructional Ranks

Our report concerns mainly ladder positions in the Faculty of Arts and Sciences. Besides these ranks there are nonladder instructional appointments at the ranks of Professor Adjunct and Associate Professor Adjunct; Senior Lecturer and Lecturer,*; Senior Lector and Lector, and Assistant in Instruction. These are all term appointments, with no presumption of reappointment or permanence. Although there are some limits to service in junior nonladder ranks, there is no limit to time in service via reappointments and promotions within the general category of nonladder ranks. Time in nonladder ranks does not count against the ten-year rule.

Other nonladder ranks are part-time instructional appointments for Yale graduate students (Acting Instructor*, Teaching Fellow, Assistant in Instruction). We have not reviewed these appointments.

Nonladder positions serve a useful purpose for Yale and for members of the Yale and New Haven communities. They provide flexibility, variety, and continuity in meeting the diverse teaching needs of the faculty. They enable Yale to obtain, part-time or full-time, the services of talented teachers whose professional or personal interests, preferences, or skills do not permit them to pursue regular scholarly careers or qualify for ladder appointments.

While making sure that there is no misunderstanding regarding the limits of Yale's commitments to continued reappointment, the University and its departments must scrupulously adhere to the letter and spirit of the rules regarding notice of termination. Those who have served continuously in one-year appointments for more than five years deserve more than the minimum three-months notice that they will not be reappointed. Normally they should be given a terminal one-year reappointment.

Adjunct appointments are designed for those who are continuing other careers while teaching part-time at Yale. These ranks in the FAS are restricted to part-time appointment, in practice not more than half-time. Typically the holders of the rank are professionally practicing artists. In some cases, the career would not allow enough time or even enough presence in New Haven to justify a full-time appointment. In other cases this is not true, and the part-time restriction makes the FAS adjunct appointment insufficiently attractive to the artist, in competition with other academic positions, including offers from other Yale schools.

* To be distinguished from appointments of the same name designated "Convertible," i.e., convertible to Instructor or Assistant Professor by timely receipt of the Ph.D., and therefore ladder appointments.

The main problem here seems to us to be that the Faculty of Arts and Sciences is hesitant to extend the concept of distinguished "scholarship" to include excellence in the creative arts -- writing, musical composition and performance, film, art and architecture, drama -- even though we regard pursuit of creative arts as worthy of degree credit for our students. In our view, the proper resolution of this ambivalence is to broaden our view of the qualities we require in full-time ladder appointments to the faculty, so that adjunct appointments are not the only way to obtain the teaching of creative artists and writers and their participation in the intellectual and cultural life of the College and Graduate School.

(IX.1) We recommend that the faculty and its relevant departments be prepared to offer ladder appointments, including full-time and tenured positions, to persons who can make distinguished contributions by teaching and participating in the intellectual and cultural life of the College and Graduate School, judging their distinction and originality in creative arts to satisfy the faculty's criteria of excellence in scholarship. We recommend that adjunct appointments in the FAS continue to be only part-time.

Another use of the adjunct rank has been for scholar-teachers who regularly divide their time between Yale and another academic institution, perhaps overseas. On occasion, arrangements of this kind enrich the experience both of the person and of her Yale students and colleagues. While the adjunct appointment is one way to handle the situation, we see no reason why a regular ladder appointment could not be used in some instances.

B. Research Ranks

All ladder appointments are teaching and research appointments. Yale does not have research professorships or teaching professorships; the Dahl Committee considered and rejected both ideas. In applying for sponsored research monies, "Members of the Faculty of Arts and Sciences may not propose a time commitment of more than fifty percent of their academic year for the conduct of research" without special approval (Faculty Handbook, XIII.B.2g, p. 102). This provision is consistent with a general understanding (curiously not stated explicitly in the Faculty Handbook) that members of the ladder faculty, however their salaries are financed, will on average over time teach (or perform other duties related to instruction) the equivalent of at least half a full teaching load. We approve this general understanding, and

(IX.2) we recommend that it be stated explicitly in the Faculty Handbook that persons holding ladder appointments in the Faculty of Arts and Sciences, however their salaries are financed, on average over time teach or perform related instructional duties at least half time.

At the same time, we recognize that the teaching duties associated with ladder ranks sometimes work to Yale's disadvantage in recruiting young scholars of great research promise and interest, even when research funds would be available to finance them. We cannot give them the recognition of a ladder rank appointment containing the magic word "professor" unless they teach, and we are unable to stretch funds budgeted for teaching to allow them to offer the specialized research-related courses or seminars suited to their talents and interests. Problems of this kind sometimes handicap research institutions and programs at Yale when they need scholars of particular research interests and capabilities and cannot recruit them without ladder rank titles. Unless the relevant department finds the candidate qualified and interested in the teaching the department needs, the recruitment may not be feasible. Problems of this kind are a cost of our policy, one that is justified by its principles but one we should seek to minimize. The absence of research-oriented appointments in ladder ranks or in any ranks with professorial titles is a reason why Yale has had less research on its campus than other major universities.

Yale's research ranks are: Postdoctoral Associate, Research Staff Scientist (or Economist, Physicist, Scholar, etc.), Research Associate, Senior Research Associate, Senior Research Scientist (or Physicist, Economist, Scholar, etc.). The first two are roughly equivalent to Instructors and Assistant Professors in their first two years, the third to an advanced Assistant Professor, the fourth to a term Associate Professor, and the fifth to a Professor. These appointments are generally on "soft money" grants administered by Yale, and are coterminous with the grants. Service in research ranks, as in nonladder instructional appointments, can continue indefinitely by repeated reappointment but carries no presumption of reappointment or permanence. Research appointees can teach part-time, with appointment as part-time lecturer.

For reasons given above, it is desirable to make these appointments more attractive. Part of the problem is semantic. The word "staff" scarcely befits the dignity of a new Ph.D. Detached from the word "professor," the word "associate" does not convey the intended status. Consequently we propose a new vocabulary.

(IX.3) We recommend the following titles for research appointments:

- (a) Postdoctoral Fellow in (department or subject), in place of Postdoctoral Associate.
- (b) Associate Research Scientist (Economist, Physicist, Scholar) in place of Research Staff (Scientist, Scholar) and of Research Associate in (subject). Thus all persons roughly equivalent to Assistant Professors would have the same title, to be distinguished within the rank like Assistant Professors by salary or seniority.
- (c) Research (Scientist, Scholar) in (department or subject) in place of Senior Research Associate in (subject).

(d) Senior Research (Scientist, Scholar) in (department or subject). This title remains unchanged.

At present no person not on ladder appointments can serve as principal investigator on Yale-sponsored research, without special and exceptional approval by the Dean of the Graduate School. Within our faculty there is considerable difference of opinion on the wisdom of this policy. On the one hand, the policy maintains the primacy of the teaching faculty and the priority of its claims to laboratory space and other common facilities. It is a brake on the building of soft-money research empires that attain a momentum and life of their own. On the other hand, it may seem anomalous and invidious that a brand-new Ph.D. with rank of Instructor is entitled to apply for a grant as principal investigator, while a mature experienced research scientist is not. More research could take place at Yale if research appointments were more attractive. And after all, every proposal for outside support is subject to departmental and administrative review.

We have no recommendation to make on this question, except that it deserves the attention of the Executive Committee of the Faculty. Very likely the best solution differs among the divisions, and quite possibly among the departments.

X. Summary of Recommendations

The Structure of Ladder Ranks in the Faculty of Arts and Sciences

- (II.1) We recommend (a) that the minimum initial term of an Assistant Professor be three years, inclusive of the pre-Ph.D. time on convertible appointments, and (b) that there be no more than one reappointment at this rank, and none for persons who have served in the equivalent rank elsewhere.
- (II.2) We recommend that junior faculty be eligible, under the Corporation's leave policy (Faculty Handbook IX.E.2a, p. 79), for one term of paid leave after three (instead of four) years in the ranks of instructor or assistant professor.
- (II.3) We recommend (a) that associate professors be appointed for initial terms of three to five years, (b) that the maximum time in rank be six years, (c) that there be no more than one reappointment in the rank, none for those who have served in the equivalent rank elsewhere.
- (II.4) We recommend higher salary ceilings for term associate professors.
- (II.5) We recommend continuation of the policy of allowing no more than ten years of service in nontenured ladder ranks, subject to the limits of time and reappointment in rank proposed above. However, we recommend that only time in the nontenured ladder ranks at Yale (beginning as now no earlier than the first year in which the Ph.D. was received), be counted.
- (II.6) We recommend that the terms and limits of calendar time in nontenured ranks be extended, not more than a total of three years, for interruptions in the activities of a faculty member relevant to tenure promotion decision. These interruptions, and the corresponding extensions, may take the form of part-time appointments or leaves for non-academic purposes. When university policy makes such appointments and leaves regularly available to faculty members, as for maternity or disability or military service, they should carry with them the corresponding extensions of time. (This would change Faculty Handbook IX.F.1, p. 81.) At the discretion of the dean, similar extensions may be approved for other reasons, e.g. non-departmental administrative assignments at Yale requiring half time or more, and leaves for public service. Approved extensions "stop the clock" on terms and time in rank to the same degree as they extend total time in nontenured ranks.
- (II.7) We recommend, as stated in detail in Chapter V, that Departments regularly review the progress and prospects of its nontenured members and inform them candidly of their prospects for tenure at Yale.

(II.3) We recommend that Yale institute a program of assistance in retraining for nontenured faculty who, in view of prospective nonpromotion at Yale and absence of job opportunities in their academic fields, wish to prepare for careers in fields in which Yale provides professional training.

(II.9) We recommend discontinuance of the rank of tenured associate professor and immediate conversion of all present holders to the rank of professor.

Criteria for Appointments in the Faculty of Arts and Sciences

(III.1) We recommend that, except in seminars so small that the anonymity of the students might not be preserved, course evaluation forms be distributed to undergraduate and graduate students by every department, and that they be returned to the department, where they should be kept on file for inspection by the instructor and by the chairman. We recommend further that the instructor have a right to convey to the chairman any comments he may wish to make about the course evaluations. We also recommend that the Committee on Teaching and Learning be charged with the responsibility for designing a system of distributing undergraduate course evaluation forms that will yield nearly universal response while insuring anonymity for the students. (For example, in a course with a final examination, the instructor might pass out the forms at one of the last course meetings with instructions to return them to the proctor at the beginning of the final examination in exchange for a copy of the exam.) We recommend likewise that the Dean of the Graduate Faculty and his faculty take steps to devise forms and distribution procedures for graduate courses. In addition, we recommend that department chairmen periodically solicit appraisals of graduate instruction from recent Ph.D.s. Departments will use student evaluations of these kinds in assessing teaching quality in decisions and recommendations for reappointments and promotions.

(III.2) To assist in evaluating teaching contributions, we recommend that a standard form be distributed each spring to all faculty members on which each would report not only on scholarly activities but in some detail on teaching and other responsibilities. The form would indicate specific courses taught, course sizes, number of instructors and teaching assistants, number of dissertations supervised, service as freshman advisor, sophomore advisor, or advisor on the major, and service on departmental, Yale College, Graduate School, FAS and other university committees. These should be kept on file for use by committees on appointments and promotions, including the relevant FAS committee, and, like the teaching evaluation forms, for inspection by the instructor and the chairman.

- (III.3) We recommend that letters and advertisements inviting recommendations or applications for positions on the Faculty of Arts and Sciences should request evidence of teaching abilities or potential as a teacher.
- (III.4) We recommend continuation of existing policy with respect to internal promotion (Faculty Handbook III.I.). The policy is fundamental for any university that aspires to be one of the foremost centers of learning in the world.

Allocation of Positions to Departments

- (IV.1) We recommend that the Provost give firm budgetary authorizations and search approvals as early as January in the spring term preceding the academic year in which the department proposes to offer the appointments.
- (IV.2) We recommend that the budgetary authorization and search approval for a tenured position continue from year to year so long as the vacancy is not filled, subject to review after a number of years specified by the Provost in each case.
- (IV.3) We recommend that the Provost indicate regularly to each department of the FAS the schedule of authorizations for tenured appointment the department may expect over the coming five years, and the probable number of authorizations foreseen in current university plans for ten further years. These projections should take actuarial account of expected resignations, retirements, and deaths but allow for their replacements, to the extent that these are expected to be authorized, on a smooth and flexible schedule.
- (IV.4) We recommend that in case of a "target of opportunity," a person of universally acknowledged pre-eminence in a discipline, the department should seek budget authorization from the Provost, either for an additional tenured position or for the immediate or early use of a previously authorized or projected slot. The Provost should not give final approval without the concurrence of the divisional committee that the target meets in fact the standard of exceptional distinction alleged by the department. If approval is granted, the Department is excused from the normal search procedures and from the solicitation of "blind letters," but the chairman of the Committee on Senior Appointments (CSA) should obtain three to five confirmatory letters of reference. At their discretion, the deans may dispense with the use of outside consultants in the consideration of the case by the CSA.
- (IV.5) We recommend that, in cases of proposals for "target of opportunity" positions or for other positions whose authorization would significantly modify or accelerate previous projections, the Provost select an ad hoc group of members of

the divisional advisory committee or other faculty members to advise the Executive Committee on the academic merit of the proposal and its relationship to the long range development of the department, the division, and the faculty.

Departmental Procedures in Search, Evaluation of Candidates, and Decisions on Appointments and Promotions

- (V.1) We recommend that during a search to fill an authorized tenured position, the department request letters of advice from four to seven external experts of recognized distinction in the field of the position. The letter of request shall name four to eight candidates whom the department is considering, including any who are nontenured faculty members at Yale, without indicating the department's tentative preference. The referees will be asked to comment on the absolute and relative qualities of these candidates and of any others they wish to recommend. All responses to these "blind" requests will be submitted with the department's eventual proposal to the CSA. If the blind letters fail to provide sufficient detailed evidence about a particular candidate, the department may solicit subsequently two or three letters requesting specific information about a single candidate. Exceptions to this procedure may be appropriate in particular cases, among them targets of opportunity of clear pre-eminence, as discussed in IV.C and recommendation IV.4.
- (V.2) We recommend that, in appointments to the rank of term associate professor, the department request letters of evaluation from three to five recognized experts. A specific candidate for the position may be identified in such letters, and referees should then be asked to evaluate the candidate's promise and achievement in comparison with others at a similar stage in professional development. Some but not all such referees may be selected from a list provided by the candidate. Alternatively the department may use blind letters as for tenured positions (recommendation V.1).
- (V.3) In cases of initial appointments to the rank of assistant professor, we recommend that at least two letters of reference normally be furnished by referees of the candidate's choosing. For reappointments to the same rank, whether assistant or associate professor, we recommend that normally no letters be solicited.
- (V.4) We recommend that the department chairman or his delegate meet annually with each nontenured faculty member to discuss her performance, progress, prospects, and problems. At least biennially this meeting should follow a discussion of the case by the relevant body of the department, the tenured members, augmented by the associate professors at the department's discretion in the cases of assistant professors. This discussion

should be based on a report, by one or more members of the body who have examined the writings of the individual and the current information about her teaching and other activities in the university and the profession. Information should also be sought from any other departments or interdisciplinary programs in which the individual has participated. The mandatory review prior to the end of a term should fall naturally into this schedule. Following each review, the chairman should discuss with the faculty member the department's findings and its views of her prospects for reappointment and promotion. These reports should be increasingly specific for a faculty member in a final term. The chairman has responsibility to keep a nontenured colleague in this status informed about the faculty's and department's procedures for appointments and promotions, and so far as possible about the likely availabilities of tenured positions. A nontenured faculty member may, because of actual or prospective outside offers or because she wishes to decide whether to seek employment elsewhere, ask the department for a decision on reappointment or promotion before the appointed time. A review carried out in response to such a request no more than a year before the required time may, at the department's discretion, serve as its final review.

- (V.5) We recommend that the Faculty Handbook make clear that a nontenured faculty member is entitled to a departmental review of her qualification for promotion to tenure in the next-to-last year of the last term appointment for which she is eligible, whether or not an authorized vacancy exists.
- (V.6) We recommend that the final departmental review of one of its members who will necessarily be terminated if not promoted to tenure be a thorough, systematic review of the qualifications of the person for tenure at Yale, generally on the basis of a report by a subcommittee which examines his publications, other writings, teaching record, professional standing, and service to the department and university. The permanent officers of the department will vote whether to consider the person as a candidate for any authorized tenure vacancy available or to seek an authorized vacancy for which the person under review would be a candidate. If the vote is affirmative, and if and when a vacancy is available, the department will proceed with a normal tenure search in which the person under review is one of several candidates. In any event the vote will be reported to the Provost.
- (V.7) We recommend that all final departmental reviews be completed by the end of the fall semester of the penultimate year of the faculty member's term appointment. Failure to adhere to this schedule would normally make it impossible to complete a search, were a tenured vacancy authorized as a consequence of such internal review.

- (V.8) We recommend that the permanent officers of departments in which nontenured faculty have no voice in appointment at or below their rank reexamine the rationale for their departmental policy in light of the prevailing practice to the contrary.
- (V.9) We recommend that all actions on nominations for appointment be by majority of those present and voting, as stated in the Corporation By-Laws. We further recommend that all votes taken in the course of deliberation on a candidate -- including initial negative votes, votes to reconsider, votes to nominate for appointment, and affirmative votes to forward the nomination -- be recorded and forwarded to the relevant appointments committee. Such a procedure will not prevent a department from taking separate votes on the merits of a candidate and on the forwarding of a nomination, but under such circumstances both votes must be recorded and reported. In reporting votes to an appointments committee, or to the Provost in the case of negative votes on terminating nontenured faculty (recommendation V.6), we recommend that the department be required to indicate the number of members present and the number of members eligible to be present, as well as affirmative and negative votes and abstentions.
- (V.10) We recommend that following a decision to forward a nomination for a tenured position the department chairmen poll those permanent officers absent from the decisive meeting. Votes in absentia, which may include abstentions, should be recorded and reported separately from the ballots of those present and voting.

Supra-Departmental Review of Proposals for Ladder Appointments

- (VI.1) We recommend that the dean who is chairman refer only problematic cases to the Junior Appointments Committee for deliberation and formal vote. He will report other cases in writing to the committee, whose assent will be assumed unless a member asks the dean to bring the case forward for discussion and vote.
- (VI.2) We recommend that the President or his delegate not routinely appoint to each CSA two representatives of other divisions. Rather, the President or his delegate should appoint at his option professors from other divisions or schools especially qualified to evaluate appointments in the division. Any persons so appointed should normally also be members of the divisional advisory committee. (The option to appoint persons from faculties other than FAC requires amendment of Corporation By-Law 39.)
- (VI.3) We recommend that it be made clear to all permanent officers of the faculty that they have a standing invitation to write

to the CSA to express their views on any proposal of their department.

- (VI.4) We recommend that a CSA member from the proposing department be excused at the same time that the chairman and other departmental witnesses are excused, but take an active part in the preceding discussion.
- (VI.5) We recommend that the CSA take up each tenure proposal in at least two distinct meetings. The final discussion and vote, with only voting members of the CSA present, should normally be at least one week after the CSA discusses the case with the department chairman and other witnesses. When this is not possible, there should nevertheless be a distinct break between sessions.
- (VI.6) We recommend that in each tenure case the CSA consult face to face no less than three persons expert in the field of the proposed appointment. At least two of the consultants shall not be regularly employed by Yale. One or more of the others may be permanent members of a Yale faculty, but not of the proposing department. The consultants for each case will be selected and invited by the dean-chairman, with the advice of the director of the division. They will consider nominations by the department, but will not be confined to those names. The consultants may, but need not be, persons from whom letters regarding the appointment were solicited. The consultants will receive the dossier in advance, and will participate in the CSA's discussion with the departmental chairman and witnesses and in any further discussion the CSA desires. The consultants will, of course, have no vote, nor will they be present at the voting meeting of the CSA.
- (VI.7) We recommend no change in existing CSA procedures on nontenure proposals except that CSA members from the proposing departments be excused at the same time as witnesses presenting the department's case. That is, consultants are not required, and no hiatus between the informative session and the decision session is called for.
- (VI.8) We recommend the designation at the beginning of each academic year of "quorum members" of the JBPO. These would be (a) those members of the JBPO who are members of the four divisional CSAs, and (b) members designated by the departments by report to the presiding dean, in number either two or one-sixth of the number of permanent officers in the department (rounded to the nearest integer), whichever is larger. In this calculation, permanent officers with primary appointments in the department will be counted, whether or not on leave. The special responsibility of the quorum member of the JBPO is to acquaint herself with the agenda of JBPO meetings and to attend the meetings, or at a minimum to arrange for an informed alternate to attend. All other permanent of-

ficers, of course, have as always the right and responsibility to attend, participate, and vote. A quorum for the conduct of business at a JBPO meeting shall consist of one-sixth of the membership not on leave and no vote shall have force if the number of votes, including recorded abstentions, falls short of a quorum.

- (VI.9) We recommend that the dean forward all proposals, and only those proposals, which, among a total vote no smaller than a quorum, receive affirmative votes from two thirds of those voting.

Affirmative Action

(VII.1) We recommend that, as soon as practicable after receiving budgetary authorization for positions for which search will occur during the coming or current academic year, the department chairman describe the plans for the search to the affirmative action officer (AAO) of the Provost's Office. After obtaining approval of the plans, the chairman will inform the AAO of any members of the department, other than the chairman, who will be responsible for the searches, e.g. by chairing search committees. The AAO will see that these persons are informed of the affirmative action guidelines and procedures and are provided with the necessary forms. Prior to the department's decision to recommend a candidate for appointment, the department chairman or the person responsible for the search will obtain the approval of the AAO regarding the adequacy of the search and its conformity with the guidelines. At the time the department proposes a candidate for appointment, it should forward the affirmative action document along with other supporting material to the relevant appointments committee.

(VII.2) We recommend that the affirmative action office take a more positive role in promoting equal employment opportunities. The office should develop and maintain a file of journals, professional societies, universities, and other institutions to which announcements and advertisements of positions should be sent, and take the responsibility for helping departments draft them and for sending and placing them. Likewise, the compilation of statistics about applicants and appointments should be centralized in the affirmative action office. The office, rather than the department, should have the responsibility for soliciting from applicants and candidates the profile data needed in these compilations, particularly the data on race, sex, and ethnic origins. For this purpose the department will provide lists of applicants as soon as the searches are completed.

- (VII.3) We recommend that the report on the search, submitted by the department and approved by the affirmative action officer in the Provost's office, be included in the candidate's dossier circulated to each member of the Committee on Senior Appointments.
- (VII.4) We recommend that deans and department chairmen advise all nontenured faculty of the reasonable extent of their responsibilities to undertake administrative assignments or other non-instructional duties, and that they invite nontenured faculty members to discuss with them invitations to serve on departmental, college, faculty, and university committees. It is, in particular, important to help women and minority faculty members, who are likely to receive many requests of this kind, protect the time they need for research and teaching.

Grievances and their Resolution

- (VIII.1) We recommend that the grievance procedure be simplified as follows: If a complaint cannot be resolved by an informal consultation among the parties directly involved, the complainant may appeal in writing to the dean currently serving as chairman of the relevant appointments committee. The dean should attempt to seek a resolution through consultation with the relevant parties, but we see no need for impaneling an advisory committee as permitted under current policy. Should the dean's attempt at resolution fail, the complainant may then appeal directly to a standing review committee, which will hear the case. A faculty member who feels that the dean, perhaps by virtue of prior involvement in the action giving rise to the complaint, is unlikely to achieve resolution may appeal directly to the review committee. The review committee upon conclusion of its deliberations should report to the Provost, who will accept the committee's findings of fact. If the Provost disagrees with the actions recommended by the committee, he should discuss the matter with the committee before taking final action. The Provost will issue a final decision in writing. The details of the procedure we recommend are fully specified in Appendix E, which constitutes our recommendation for a revised Faculty Handbook description of the review procedures.
- (VIII.2) We recommend that the dean's inquiry be carried out normally within a period of 14 days from receipt of a written complaint. We recommend that the review committee report to the Provost within 45 days of receipt of a written complaint, and we recommend that the Provost issue a final decision within two months of the committee's receipt of a complaint. Thus, the entire review process should normally be completed within a three month period.

- (VIII.3) We further recommend the use of a standing review committee, appointed by the President in consultation with the deans and Provost.
- (VIII.4) We recommend that a complaining faculty member have the explicit right to appear before the review committee, to propose that the committee interview relevant witnesses, and to inspect all relevant documents not written under presumption of confidentiality.
- (VIII.5) We recommend that the faculty member have a right to be accompanied by an advisor in meeting with any university official or with the review committee. The advisor may be a member of the designated panel, or any other Yale faculty member that the complainant chooses.

Nonladder Appointments for Instruction and Research

- (IX.1) We recommend that the faculty and its relevant departments be prepared to offer ladder appointments, including full-time and tenured positions, to persons who can make distinguished contributions by teaching and participating in the intellectual and cultural life of the College and Graduate School, judging their distinction and originality in creative arts to satisfy the faculty's criteria of excellence in scholarship. We recommend that adjunct appointments in the FAS continue to be only part-time.
- (IX.2) We recommend that it be stated explicitly in the Faculty Handbook that persons holding ladder appointments in the Faculty of Arts and Sciences, however their salaries are financed, on average over time teach or perform related instructional duties at least half time.
- (IX.3) We recommend the following titles for research appointments:
- (a) Postdoctoral Fellow in (department or subject), in place of Postdoctoral Associate.
 - (b) Associate Research Scientist (Economist, Physicist, Scholar) in place of Research Staff (Scientist, Scholar) and of Research Associate in (subject). Thus all persons roughly equivalent to Assistant Professors would have the same title, to be distinguished within the rank like Assistant Professors by salary or seniority.
 - (c) Research (Scientist, Scholar) in (department or subject) in place of Senior Research Associate in (subject).
 - (d) Senior Research (Scientist, Scholar) in (department or subject). This title remains unchanged.

Appendix A: Data on Appointments, Promotions, and Terminations

The following tables summarize data on (1) structure of the faculty ranks; (2) numbers of appointments at all ranks; (3) number of years spent as nontenured faculty; (4) number of years spent as tenured Associate Professor; (5) Fate and highest rank achieved for individuals initially appointed as Assistant Professor or nontenured Associate Professor; (6) proportion of nontenured faculty that eventually receive tenure.

The following abbreviations are used throughout: AP = Assistant Professor, AOPT = nontenured Associate Professor, OPT = tenured Associate Professor, PROF = full professor.

For each individual we consider the nature of the original appointment - whether appointed from outside (A) or promoted from within (P) and the eventual fate of the individual (gone = term expired, quit = resigned before expiration of term, present = still at Yale at same or higher rank). In all cases data are presented by Division (Humanities, Social Sciences, Natural Sciences) and by year of appointment (in five-year intervals).

Table 1. Number of full-time faculty in various ranks as of October, 1980.

	AP	AOPH	AOPI	PROF
Humanities	94	26	3	102
Social Sciences	42	16	1	75
Natural Sciences	57	18	16	112
TOTAL	193	60	25	295

Table 2. Total number of appointments to rank of Assistant Professor, by Division and year.

	YEAR OF APPOINTMENT				Total
	1960-64	1965-69	1970-74	1975-80	
Humanities	84	151	142	140	517
Social Sciences	95	97	74	90	356
Natural Sciences	71	96	63	98	328
TOTAL	250	344	279	328	1201

Table 2. Number of appointments to ranks above Assistant Professor, by Division, type of appointment (A = appointment from outside, P = promotion from within), and year of appointment.

DIVISION	RANK	TYPE OF APPOINTMENT	YEAR OF APPOINTMENT			
			1960-64	1965-69	1970-74	1975-80
Humanities	AOPN	A	6	7	3	3
		P	19	23	41	53
	AOPT	A	4	3	0	3
		P	22	20	4	8
	PROF	A	15	20	14	23
		P	25	27	22	10
Social Sciences	AOPN	A	2	5	3	4
		P	11	30	35	39
	AOPT	A	3	2	0	7
		P	11	9	7	4
	PROF	A	17	10	7	19
		P	18	15	12	17
Natural Sciences	AOPN	A	10	14	3	3
		P	19	28	46	24
	AOPT	A	5	1	3	2
		P	10	14	13	10
	PROF	A	19	10	8	3
		P	15	24	13	21

Table 4. Number of years spent as untenured faculty for individuals appointed Assistant Professor between 1960 and 1970.

a. Humanities

Years	FATE							
	GONE		QUIT		PRESENT		ALL	
	1960-64	1965-69	1960-64	1965-69	1960-64	1965-69	1960-64	1965-69
1	2	2	3	8			5	10
2		4	7	11			7	15
3	22	11	4	10	2	1	23	22
4	6	16	8	8		2	14	26
5	9	16	1	3	1	3	11	22
6	1	21	4	5	2		7	26
7		4	1	3	5	1	6	8
8		7		6	1	2	1	15
9	2	16		1	2	1	4	18
10		5					5	
>10		1					2	
Total	42	103	28	55	13	10	85	168
Median	3.4	5.6	3.5	3.4	6.9	4.3	3.7	5.0

b. Social Sciences

FATE

	GONE		QUIT		PRESENT		ALL	
	1960-64	1965-69	1960-64	1965-69	1960-64	1965-69	1960-64	1965-69
Years								
1	7	3	4	3			11	6
2	2	5	9	6			11	11
3	14	6	5	2	4		23	8
4	1	5	10	12			11	17
5	5	9	8	6		1	12	15
6	2	4	2	4	1	1	5	9
7		1	4	4		1	4	6
8	4	5	2	6	2	2	8	13
9		2	4		2	1	6	3
10		2	3	1	1	3	4	6
>10		1		1	1		1	2
Total	34	38	51	45	11	9	96	96
Median	3.1	4.5	4.3	4.5	7.0	2.3	3.3	4.9

c. Natural Sciences

FATE

	GONE		QUIT		PRESENT		ALL	
	1960-64	1965-69	1960-64	1965-69	1960-64	1965-69	1960-64	1965-69
Years								
1		1	2	2		1	2	4
2	2	3	3	6			5	9
3	7	21	1	3	1	1	11	22
4	1	6	10	5			11	11
5	4	7	5	3	2		12*	10
6	4	3	2	3	1	1	7	7
7	5	3		5		1	5	9
8	2	2	5	1	2	4	9	7
9	3	1	2	1	1	6	6	8
10	2	3	1	2		3	3	8
>10			1				1	
Total	30	50	32	28	9	17	72	95
Median	5.8	3.5	4.5	4.8	5.2	8.6	5.1	4.6

Table 5. Number of years spent as tenured Associate Professor (individuals appointed (A) or promoted (P) to that rank between 1960 and 1970). Numbers in parentheses are numbers of individuals that quit as AOPT.

YEARS AS AOPT	Humanities		Social Sciences		Natural Sciences	
	A	P	A	P	A	P
1		4		1	1	5
2	1	8		1	3	3
3		5(1)	3(2)	7(1)	1	1
4	1	5	1	3	1	2(1)
5		7(1)		4		2
6	4(1)	4				
7	1	1		2		1(1)
8		1	1			2(1)
9					1(1)	1
10						1
>10		1				1

Table 6. Fate and highest rank achieved for individuals initially appointed as Assistant Professor, 1960-1964.

Humanities					
RANK	GONE	QUIT	PRESENT	TOTAL	
AP	36	19		55	
AOPN	6	7		14*	
AOPT	-	1	1	2	
PROF	-	1	12	13	
TOTAL	42	28	13	84*	

Social Sciences					
RANK	GONE	QUIT	PRESENT	TOTAL	
AP	30	29		59	
AOPN	3	16		19	
AOPT	-			0	
PROF	-	6	11	17	
TOTAL	33	51	11	95	

Natural Sciences					
RANK	GONE	QUIT	PRESENT	TOTAL	
AP	16	18		34	
AOPN	12	12		24	
AOPT	-		1	1	
PROF	-	2	7	10*	
TOTAL	28	32	8	69	

* Includes one deceased.

Table 7. Fate and highest rank achieved for individuals initially appointed as Assistant Professor, 1965-1969.

Humanities				
RANK	GONE	QUIT	PRESENT	TOTAL
AP	61	40		101
AOPH	24	15		39
AOPT			1	1
PROF			9	9
TOTAL	85	55	10	150

Social Sciences				
RANK	GONE	QUIT	PRESENT	TOTAL
AP	31	25		56
AOPH	13	18		31
AOPT		1		1
PROF		1	8	9
TOTAL	44	45	8	97

Natural Sciences				
RANK	GONE	QUIT	PRESENT	TOTAL
AP	41	15		56
AOPH	3	14		22
AOPT			2	2
PROF		1	15	16
TOTAL	49	30	17	96

Table C. Fate and highest rank achieved for individuals initially appointed as Assistant Professor, 1970-1974.

Humanities					
RANK	GONE	QUIT	PRESENT	TOTAL	
AP	69	24	2	95	
AOPN	11	10	20	41	
AOPT			3	3	
PROF			3	3	
TOTAL	80	34	28	142	

Social Sciences					
RANK	GONE	QUIT	PRESENT	TOTAL	
AP	24	23		47	
AOPN	2	14	6	22	
AOPT				5	
PROF		1	4	5	
TOTAL	26	38	10	74	

Natural Sciences					
RANK	GONE	QUIT	PRESENT	TOTAL	
AP	21	11	1	33	
AOPN	2	9	7	18	
AOPT		1	6	7	
PROF			5	5	
TOTAL	23	21	19	63	

Table 9. Fate and highest rank achieved for individuals initially appointed as untenured Associate Professor, 1960-1964.

Humanities

RANK	GONE	QUIT	PRESENT	TOTAL
AOPN	3	5		8
AOPT			1	1
PROF		4	3	7
TOTAL	3	9	4	16

Social Sciences

RANK	GONE	QUIT	PRESENT	TOTAL
AOPN	2	2		4
AOPT				0
PROF			2	2
TOTAL	2	2	2	6

Natural Sciences

RANK	GONE	QUIT	PRESENT	TOTAL
AOPN	8	5		13
AOPT		2	1	3
PROF			7	7
TOTAL	8	7	8	23

Table 10. Fate and highest rank achieved for individuals initially appointed as untenured Associate Professor, 1963-1969.

Humanities				
RANK	GONE	QUIT	PRESENT	TOTAL
AOPN	3	2		5
AOPT				0
PROF		1	3	4
TOTAL	3	3	3	9

Social Sciences				
RANK	GONE	QUIT	PRESENT	TOTAL
AOPN	2	1		3
AOPT		1		1
PROF			4	4
TOTAL	2	2	4	8

Natural Sciences				
RANK	GONE	QUIT	PRESENT	TOTAL
AOPN	9			9
AOPT			2	2
PROF		1	4	5
TOTAL	9	1	6	16

Table 11. Fate and highest rank achieved for individuals initially appointed as untenured Associate Professor, 1970-1974.

Humanities					
RANK	GONE	QUIT	PRESENT	TOTAL	
AOPN		1		1	
AOPT			1	1	
PROF		1	1	2	
TOTAL	0	2	2	4	

Social Sciences					
RANK	GONE	QUIT	PRESENT	TOTAL	
AOPN	1	2		3	
AOPT				0	
PROF			1	1	
TOTAL	1	2	1	4	

Natural Sciences					
RANK	GONE	QUIT	PRESENT	TOTAL	
AOPN	5	2	1	8	
AOPT				0	
PROF			2	2	
TOTAL	5	2	3	10	

Table 12. Proportion of those initially appointed as Assistant Professor who eventually received tenure.

	YEAR OF APPOINTMENT	
	1960-1964	1965-69
Humanities	15/35 (.13)	10/150 (.07)
Social Sciences	17/95 (.18)	10/97 (.10)
Natural Sciences	11/69 (.16)	13/96 (.19)

Table 13. Proportion of those initially appointed as untenured Associate Professor who eventually received tenure.

	YEAR OF APPOINTMENT	
	1960-1964	1965-69
Humanities	8/16 (.50)	4/9 (.44)
Social Sciences	2/6 (.33)	5/8 (.62)
Natural Sciences	10/23 (.43)	7/16 (.44)

Table 14. Proportion of those initially appointed as Assistant Professor who eventually were promoted.

	YEAR OF APPOINTMENT		
	1960-1964	1965-1969	1970-1975
Humanities	28/84 (.33)	38/150 (.25)	47/142 (.33)
Social Sciences	36/95 (.38)	40/97 (.41)	27/74 (.36)
Natural Sciences	25/69 (.36)	40/96 (.42)	30/63 (.48)

Table 15: Time Spent in Tenured Ranks*

(1) Years	2	3	4	5	6	7	8	9	10	11	12	13	14	15
(2) Estimated probability of departure, death, or retirement before number of years indicated in row (1): (5)/(4)	.036	.060	.075	.094	.120	.137	.151	.172	.191	.198	.196	.193	.205	.19
Basis of calculation of row (2)														
(3) Sample population: tenure appointments, made in years 1960 to:	1978	1977	1976	1975	1974	1973	1972	1971	1970	1969	1968	1967	1966	1965
(4) Size of sample population of row (3)	331	324	305	286	274	262	245	227	225	212	184	150	136	120
(5) Numbers of persons in sample population who departed, died or retired before the number of years indicated in row (1)	6	12	13	23	27	33	36	37	39	42	36	29	28	23

* This table was constructed by examining the fate of all individuals who received tenure at Yale between 1960 and 1979. To determine the number of departures, deaths, and retirements after one year or less, we use the entire population tenured between 1960 and 1979. To determine the number departing after ten years or less, we use only the population tenured between 1960 and 1970, since only these cohorts can be followed for ten years. The fact that we are working with samples of diminishing size explains the apparently anomalous behavior of the estimated cumulative probability of departure for tenures greater than eleven years.

Appendix B: Procedures for Review of Decisions on Reappointment and Promotion in the Faculty of Arts and Sciences

I. Review Procedure Initiated by an Individual Faculty Member

These procedures are available to any individual faculty member who believes that he or she has been treated in a manner inconsistent with University policies on reappointment or promotion. In a case where a faculty member believes that the University's reappointment or promotion procedures have not been properly observed, or that he or she has been discriminated against in the matter of reappointment or promotion on the basis of race, color, religion, sex, handicap or national or ethnic origin, the faculty member may request review of his or her complaint in accordance with the procedures specified below. The procedures are also available for a separate review if the faculty member believes that he or she has been retaliated against as a result of pursuing a complaint.

A. Informal Consultation and Resolution

A faculty member is encouraged to seek initially an equitable solution to the problem in direct discussion with the responsible persons. A faculty member may always seek assistance and advice from any administrator or any faculty member of any school.

Within the Faculty of Arts and Sciences five senior faculty members stand ready to advise any member of the faculty who believes that he or she may have cause for complaint. The panel of advisors will be designated annually as follows: the director of each of the Divisions will recommend to the Deans three tenured faculty members, of whom the Dean will choose one. One additional advisor will be chosen by the Dean of the Law School from the Law School faculty. Consultation with one or more panel members is recommended, but a faculty member may choose as an advisor any other member of the faculty. Consultation with any advisor is confidential.

B. Discretionary Appeal to the Dean

If the problem cannot be resolved by informal discussion, the faculty member may submit to the appropriate Dean* a letter explaining the complaint and redress sought.

* If the grievance relates to reappointment at ranks subject to the jurisdiction of the Junior Appointments Committee, the com-

The letter should be submitted normally within 45 days of the final action giving rise to the complaint.

The Dean** will then undertake an informal investigation. In doing so, the Dean may consult with the faculty member and may meet with such other parties as he or she deems appropriate in an attempt at resolution. In discussions with the Dean, the complaining faculty member may be accompanied by his or her advisor, and the Dean may consult separately with the advisor only with the consent of the faculty member.

The Dean's inquiry will be carried out within a reasonable period of time, normally within 14 days, and will be concluded by a written response to the faculty member. The Dean's written response will also apprise the complainant of the availability of a committee review as described below.

C. Committee Review

Where informal consultation and appeal to the Dean have not resolved the problem, the complainant may submit to the Review Committee a letter explaining the complaint and the redress sought. The complainant may, if he or she chooses, omit the appeal to the Dean (I.B) and appeal directly to the Review Committee.

The Review Committee will be a standing committee, appointed each year and consisting of four tenured members of the Faculty of Arts and Sciences, one of whom will be designated chairman, and one member of the Law School faculty. The committee will be appointed by the President in consultation with the Provost and Deans. Members of the committee who may be directly involved in any complaint are to excuse themselves during the committee review. When a member or members are excused or are otherwise unavailable to participate, the Provost may designate substitutes.

The committee must meet initially with the complaining faculty member, who may be accompanied by an advisor. The advisor may be any member of the faculty. The proceedings are not adversarial. The faculty member will have the opportunity to present information and to propose that the committee interview relevant witnesses. The faculty member may be permitted to inspect documents or parts of documents directly.

plaint should be submitted to the Dean currently serving as its chairman. If the complaint relates to promotion to a senior position, it should be directed to the Dean serving as chairman of the Senior Appointments Committee.

** This and subsequent references to the Dean shall refer to the Dean or his or her designee.

relating to the specific complaint that the committee deems relevant and which were not written under a presumption of confidentiality. As its inquiry proceeds, the committee may interview the witnesses proposed by the faculty member, and any other persons it deems relevant. The committee may at its discretion pursue its inquiry with or without the presence of the complaining faculty member and his or her advisor. The committee may consult separately with the advisor only with the consent of the faculty member. Where a complaint alleges sex discrimination or discrimination on the basis of handicap in a matter of reappointment or promotion, the committee will also consult respectively with the Title IX coordinator for the Faculty of Arts and Sciences, or the chairman of the Provost's Committee with Responsibility for the Handicapped.

The Review Committee, having conducted its inquiry, will deliberate in closed session and will present a written report stating its findings of fact and its conclusions. In a separate section of the report, the committee should outline what actions, if any, it would recommend that the Provost take. The report of the committee will be adopted only upon the majority vote of the members of the committee who participated in the inquiry.

D. Final Resolution

The Review Committee will submit its report to the Provost within a reasonable period of time, normally within 45 days of its receipt of a complaint. The Provost will permit the faculty member and the relevant departmental chairman(member) to inspect the report and to comment on it. However, since the report is a confidential document advisory to the Provost, only the Provost is entitled to a copy.

The Provost will accept the committee's findings of fact. The Provost may accept, modify, or reject the conclusions of the committee and any of its recommendations. However, in any case where the Provost has reservations about the actions recommended by the committee, the Provost will discuss the matter with the committee in advance of a final decision and explain his reasons for disagreement. The Provost will then decide the matter and convey his decision in writing to the faculty member, the committee, the chairman of the relevant department(s) and of the divisional appointments committee.

A decision by the Provost to sustain a decision not to reappoint or promote a member of the faculty shall be final. Any other decision by the Provost will be implemented in accordance with rules or practices of the University. (For example, where appropriate, an ad hoc appointments committee might be impaneled as a substitute for the standing appointments committee.)

E. Time Guidelines for Rendering a Decision

The Provost's final decision should ordinarily be rendered within two months after submission of the written statement of the complaint referred to in section I.C above. In instances where additional time may be required, the Provost may extend the period for rendering a decision. If the period is extended, the faculty member will be so informed.

E. Other Grievances Concerning Professional Matters

When a faculty member believes he or she has been treated in an unfair or discriminatory manner in connection with professional matters other than reappointment and promotion, he or she should consult with one of the deans. If informal consultation fails to solve the problem, the dean may, if he or she deems the complaint sufficiently serious, recommend that the faculty member submit the complaint to the Review Committee. Such complaints will be resolved by the procedure described in I.C-I.E above.

II. Procedure Initiated by a Dean or the Provost to Review a Proposed Reappointment or Promotion

A. Departmental Reconsideration

When a department has decided not to recommend reappointment or promotion to a faculty member, the Provost, at the request of one of the deans or on his own initiative, may ask the department to reconsider the case. Among the reasons for such a request could be misunderstanding regarding the availability of positions, or University interests extending beyond the department.

B. Committee review

If the Provost has substantial questions about the adequacy of the consideration of a candidate for reappointment or promotion, the Provost may request the Review Committee to review the decision and advise him on the matter.

the School of Organization and Management effective
July 1, 1982.

Jeffrey D. Sachs, Associate Professor of Economics, in
the Department of Economics, effective July 1, 1982.

Voted, to accept in principle:

The Report of the Ad Hoc Committee on Faculty Appoint-
ments, approved by the Faculty and amended by the Exe-
cutive Committee of the Faculty of Arts and Sciences,
except for those items indicated as still under review.

The Corporation also expressed its gratitude to Professor James Tobin
for his service as Chairman of the Ad Hoc Committee.

Mrs. Singer announced that Robert Bickerton had been appointed Direc-
tor of the Office of Cooperative Research.

Mr. Dilworth reported, for the INSTITUTIONAL POLICIES COMMITTEE, on
the suit brought against the Yale-New Haven Hospital and the University.

Mr. Liebman reported, for the BUILDINGS AND GROUNDS COMMITTEE, and it
was:

Voted, to authorize the Vice President for Finance and Admin-
istration to expend a sum not to exceed \$550,000 for property
acquisition and alterations at 871 Prospect Street, Hamden, Con-
necticut for the Cedarhurst School, with the understanding that
this includes the sum of \$475,000 previously authorized and that
these costs will be met from available Medical School reserves to
be recovered from operating income of the Cedarhurst School.

TO: Fellows of the Yale Corporation

DATE: June 18, 1982

RE: The report of the Ad Hoc Committee on Faculty Appointments (FAS)

The attached is a summary of actions recommended by the Ad Hoc Committee on Faculty Appointments and emended by the Executive Committee of the Faculty of Arts and Sciences. The language in brackets has been omitted by the Executive Committee and those few additions it has made are capitalized.

Recommendation II.9 on the abolition of the rank of associate professor with tenure has been omitted but alternative suggestions for treatment of the rank are still under review.

Recommendations IV.1-3 on the allocation of positions to departments are under the purview of the Provost and will be considered by him. Section VIII on grievances and their resolution has been accepted in principle. A standing committee to hear grievances will be established but a detailed set of procedures has not yet been adopted.

Excerpt from the Report of the Ad Hoc Committee on Faculty Appointments

X. Summary of Recommendations

The Structure of Ladder Ranks in the Faculty of Arts and Sciences

- (II.1) We recommend (a) that the minimum initial term of an assistant professor NORMALLY be three years, inclusive of the pre-Ph.D. time on convertible appointments, and (b) that there be no more than one reappointment at this rank, and none for persons who have served in the equivalent rank elsewhere FOR THREE YEARS OR MORE.
- ~~[(II.2) We recommend that junior faculty be eligible, under the Corporation's leave policy (Faculty Handbook IX.E.2a, p. 79), for one term of paid leave after three (instead of four) years in the ranks of instructor or assistant professor.]~~
- (II.3) We recommend (a) that associate professors be appointed for initial terms of three to five years, (b) that the maximum time in rank be six years, (c) that there be no more than one reappointment in the rank, none for those who have served in the equivalent rank elsewhere FOR THREE YEARS OR MORE.
- ~~[(II.4) We recommend higher salary ceilings for term associate professors.]~~
- (II.5) We recommend continuation of the policy of allowing no more than ten years of service in nontenured ladder ranks, subject to the limits of time and reappointment in rank proposed above. ~~[However, we recommend that only time in the nontenured ladder ranks at Yale (beginning as now no earlier than the first year in which the Ph.D. was received), be counted.]~~
- (II.6) We recommend that the terms and limits of calendar time in nontenured ranks be extended, not more than a total of three years, for interruptions in the activities of a faculty member relevant to a tenure promotion decision. These interruptions, and the corresponding extensions, may take the form of part-time appointments or leaves for SPECIFIED non-academic purposes. When university policy makes such appointments and leaves regularly available to faculty members, as for maternity or disability or PUBLIC OR military service, they should carry with them the corresponding extensions of time. (This would change Faculty Handbook IX.F.1, p. 81.) ~~[At the discretion of the dean, similar extensions may be approved for other reasons, e.g., non-departmental administrative assignments at Yale requiring half time or more, and leaves for public service.]~~ Approved extensions "stop the clock" on terms and time in rank to the same degree as they extend total time in non-tenured ranks.

(II.7) We recommend, as stated in detail in Chapter V, that Departments regularly review the progress and prospects of its nontenured members and inform them candidly of their prospects for tenure at Yale.

~~(II.8) We recommend that Yale institute a program of assistance in retraining for nontenured faculty who, in view of prospective nonpromotion at Yale and absence of job opportunities in their academic fields, wish to prepare for careers in fields in which Yale provides professional training.]~~

ative
review

~~(II.9) We recommend discontinuance of the rank of tenured associate professor and immediate conversion of all present holders to the rank of professor.]~~

Criteria for Appointments in the Faculty of Arts and Sciences

(III.0) We recommend amendment of the provisions of the Faculty Handbook, Sections IV and V.2, to provide additional guidance to Departments of the Faculty, Committees on Senior Appointments, and the Joint Boards of Permanent Officers regarding appointments to the rank of Professor. A tenured appointment is a forward-looking commitment. The University is prepared to accept uncertainties and risks in such commitments, for scholars of all ages and stages of career, when there is significant probability of exceptional scholarly contributions in the future. Appraisals of the past contributions of candidates must always be supplemented by other evidence and estimates of future contributions to scholarship and teaching at Yale. Indicators of potential distinction other than the quantity and quality of published research are particularly important for young candidates. In choosing among available candidates, the faculty may decide that the indicated promise of a young scholar and teacher justifies appointment even though her cumulative attainments are necessarily less than those of older, established scholars. Referees and consultants whose advice is solicited on tenure appointments will be informed of this interpretation of Yale's criteria for tenure appointment.

(III.1) We recommend that, except in seminars so small that the anonymity of the students might not be preserved, course evaluation forms be distributed to undergraduate and graduate students by every department, and that they be returned to the department, where they should be kept on file for inspection by the instructor and by the chairman. We recommend further that the instructor have a right to convey to the chairman any comments he may wish to make about the course evaluations. We also recommend that the Committee on Teaching and Learning be charged with the responsibility for designing a system of distributing undergraduate course evaluation forms that will yield nearly universal response while insuring anonymity for the students. (For example, in

a course with a final examination, the instructor might pass out the forms at one of the last course meetings with instructions to return them to the proctor at the beginning of the final examination in exchange for a copy of the exam.) We recommend likewise that the Dean of the Graduate Faculty and his faculty take steps to devise forms and distribute procedures for graduate courses. In addition, we recommend that department chairmen periodically solicit appraisals of graduate instruction from recent Ph.D.s. Departments will use student evaluations of these kinds in assessing teaching quality in decisions and recommendations for reappointments and promotions.

- (III.2) To assist in evaluating teaching contributions, we recommend that a standard form be distributed each spring to all faculty members on which each would report not only on scholarly activities but in some detail on teaching and other responsibilities. The form would indicate specific courses taught, course sizes, number of instructors and teaching assistants, number of dissertations supervised, service as freshman advisor, sophomore advisor, or advisor on the major, and service on departmental, Yale College, Graduate School, FAS and other university committees. These should be kept on file for use by committees on appointments and promotions, including the relevant FAS committee, and, like the teaching evaluation forms, for inspection by the instructor and the chairman.
- (III.3) We recommend that letters and advertisements inviting recommendations or applications for positions on the Faculty of Arts and Sciences should request evidence of teaching abilities or potential as a teacher.
- (III.4) We recommend continuation of existing policy with respect to internal promotion (Faculty Handbook III.H.). The policy is fundamental for any university that aspires to be one of the foremost centers of learning in the world.

Allocation of Positions to Departments

- review (IV.1) We recommend that the Provost give firm budgetary authorizations and search approvals as early as January in the spring term preceding the academic year in which the department proposes to offer the appointments.
the Provost
- review (IV.2) We recommend that the budgetary authorization and search approval for a tenured position continue from year to year so long as the vacancy is not filled, subject to review after a number of years specified by the Provost in each case.
the Provost
- review (IV.3) We recommend that the Provost indicate regularly to each department of the FAS the schedule of authorizations for tenured appointments the department may expect over the coming
the Provost

five years, and the probable number of authorizations foreseen in current university plans for ten further years. These projections should take actuarial account of expected resignations, retirements, and deaths but allow for their replacements, to the extent that these are expected to be authorized, on a smooth and flexible schedule.

(IV.4) We recommend that in case of a "target of opportunity," a person of universally acknowledged pre-eminence in a discipline, the department should seek budget authorization from the Provost, either for an additional tenured position or for the immediate or early use of a previously authorized or projected slot. The Provost should not give final approval without the concurrence of the divisional committee that the target meets in fact the standard of exceptional distinction alleged by the department. If approval is granted, the Department is excused from the normal search procedures and from the solicitation of "blind letters," but the chairman of the Committee on Senior Appointments (CSA) should obtain FOR THE INFORMATION OF THE DEPARTMENT AS WELL AS THE CSA three to five confirmatory letters of reference. At their discretion, the deans may dispense with the use of outside consultants in the consideration of the case by the CSA.

(IV.5) We recommend that, in cases of proposals for "target of opportunity," positions or for other positions whose authorization would significantly codify or accelerate previous projections, the Provost select an ad hoc group of members of the divisional advisory committee or other faculty members to advise the Executive Committee on the academic merit of the proposal and its relationship to the long range development of the department, the division, and the faculty.

Departmental Procedures in Search, Evaluation of Candidates, and Decisions on Appointments and Promotions

(V.1) We recommend that during a search to fill an authorized tenured position, the department request letters of advice from four to seven external experts of recognized distinction in the field of the position. The letter of request shall name four to eight candidates whom the department is considering, including any who are nontenured faculty members at Yale, without indicating the department's tentative preference. The referees will be asked to comment on the absolute and relative qualities of these candidates and of any others they wish to recommend. All responses to these "blind" requests will be submitted with the department's eventual proposal to the CSA. If the blind letters fail to provide sufficient detailed evidence about a particular candidate, the department may solicit subsequently two or three letters requesting specific information about a single candidate. Exceptions to this procedure may be appropriate in particular cases, among them targets of opportunity of clear pre-eminence, as discussed in IV.C and recommendation IV.4.

- (V.2) We recommend that, in appointments to the rank of term associate professor, the department request letters of evaluation from three to five recognized experts. A specific candidate for the position may be identified in such letters, and referees should then be asked to evaluate the candidate's promise and achievement in comparison with others at a similar stage in professional development. Some but not all such referees may be selected from a list provided by the candidate. Alternatively the department may use blind letters as for tenured positions (recommendation V.1).
- (V.3) In cases of initial appointments to the rank of assistant professor, we recommend that at least two letters of reference normally be furnished by referees of the candidate's choosing. For reappointments to the same rank, whether assistant or associate professor, we recommend that normally no letters be solicited.
- (V.4) We recommend that the department chairman or his delegate meet annually with each nontenured faculty member to discuss her performance, progress, prospects and problems. At least biennially this meeting should follow a discussion of the case by the relevant body of the department, the tenured members, augmented by the associate professors at the department's discretion in the cases of assistant professors. This discussion should be based on a report, by one or more members of the body who have examined the writings of the individual and the current information about her teaching and other activities in the University and the profession. Information should also be sought from any other departments or interdisciplinary programs in which the individual has participated. The mandatory review prior to the end of a term should fall naturally into this schedule. Following each review, the chairman should discuss with the faculty member the department's findings and its views of her prospects for reappointment and promotion. These reports should be increasingly specific for a faculty member in a final term. The chairman has responsibility to keep a nontenured colleague in this status informed about the faculty's and department's procedures for appointments and promotions, and so far as possible about the likely availabilities of tenured positions. A nontenured faculty member may, because of actual or prospective outside offers or because she wishes to decide whether to seek employment elsewhere, ask the department for a decision on reappointment or promotion before the appointed time. A review carried out in response to such a request no more than a year before the required time may, at the department's discretion, serve as its final review.
- [(V.5) ~~We recommend that the Faculty Handbook make clear that a nontenured faculty member is entitled to a departmental review of her qualification for promotion to tenure in the next to last year of the last term appointment for which she is eligible, whether or not an authorized vacancy exists.~~]

- (V.6) We recommend that the final departmental review of one of its members who will necessarily be terminated if not promoted to tenure be SUFFICIENTLY THOROUGH TO GIVE HER THE DEPARTMENT'S ASSESSMENT OF HER ACCOMPLISHMENTS TO DATE AND PROMISE FOR TENURE AT YALE OR ELSEWHERE. [~~a thorough, systematic review of the qualifications of the person for tenure at Yale, generally on the basis of a report by a subcommittee which examines her publications, other writings, teaching record, professional standing, and service to the department and university. The permanent officers of the department will vote whether to consider the person as a candidate for any authorized tenured vacancy available or to seek an authorized vacancy for which the person under review would be a candidate. If the vote is affirmative, and if and when a vacancy is available, the department will proceed with a normal tenure search in which the person under review is one of several candidates. In any event the vote will be reported to the Provost.~~]
- (V.7) We recommend that all final departmental reviews be completed by the end of the fall semester of the penultimate year of the faculty member's term appointment. Failure to adhere to this schedule would normally make it impossible to complete a search, were a tenure vacancy authorized as a consequence of such internal review.
- (V.8) We recommend that the permanent officers of departments in which nontenured faculty have no voice in appointment at or below their rank reexamine the rationale for their departmental policy in light of the prevailing practice to the contrary.
- (V.9) We recommend that all actions on nominations for appointment be by majority of those present and voting, as stated in the Corporation By-Laws. We further recommend that all votes taken in the course of deliberation on a candidate -- including initial negative votes, votes to reconsider, votes to nominate for appointment, and affirmative votes to forward the nomination -- be recorded and forwarded to the relevant appointments committee. Such a procedure will not prevent a department from taking separate votes on the merits of a candidate and on the forwarding of a nomination, but under such circumstances both votes must be recorded and reported. In reporting votes to an appointments committee, or to the Provost in the case of negative votes on terminating nontenured faculty (recommendation V.6), we recommend that the department be required to indicate the number of members present and the number of members eligible to be present, as well as affirmative and negative votes and abstentions.
- (V.10) We recommend that following a decision to forward a nomination for a tenured position the department chairmen poll those permanent officers absent from the decisive meeting. Votes in absentia, which may include abstentions, should be

recorded and reported separately from the ballots of those present and voting.

Supra-Departmental Review of Proposals for Ladder Appointments

- (VI.1) We recommend that the dean who is chairman refer only problematic cases to the Junior Appointments Committee for deliberations and formal vote. He will report other cases in writing to the committee ~~whose assent will be assumed unless a member asks the dean to bring the case forward for discussion and vote.~~ FOR ASSENT OR FOR A REQUEST FOR FORMAL DISCUSSION AND VOTE.
- (VI.2) We recommend that the President or his delegate not routinely appoint to each CSA two representatives of other divisions. Rather, the President or his delegate should appoint at his option professors from other divisions or schools especially qualified to evaluate appointments in the division. Any persons so appointed should normally also be members of the divisional advisory committee. (The option to appoint persons from faculties other than FAS requires amendment of Corporation By-Law 39.)
- (VI.3) We recommend that it be made clear to all permanent officers of the faculty that they have a standing invitation to write to the CSA to express their views on any proposal of their department.
- (VI.4) We recommend that a CSA member from the proposing department ~~SHOULD NOT PARTICIPATE IN THE DISCUSSION AFTER (be excused at the same time that) the chairman and other departmental witnesses are excused. (but take an active part in the preceding discussion.)~~
- (VI.5) We recommend that the CSA take up each tenure proposal in at least two distinct meetings. The final discussion and vote, with only voting members of the CSA present, should normally be at least one week after the CSA discusses the case with the department chairman and other witnesses. When this is not possible, there should nevertheless be a distinct break between sessions.
- (VI.6) We recommend that in each tenure case ~~(the CSA consult face-to-face)~~ no fewer than three persons expert in the field of the proposed appointment BE CONSULTED ORALLY. THESE CONSULTANTS MAY PARTICIPATE AT DIFFERENT STAGES IN THE PROCESS IN DIFFERENT CASES, FROM DEFINITION OF THE FIELD TO THE CSA'S DISCUSSION OF THE DEPARTMENT'S CANDIDATE, BUT AT SOME STAGE THEY MUST CONSIDER THE CANDIDATES' QUALIFICATIONS FOR THE APPOINTMENT. They will consider nominations by the department, but will not be confined to those names. At least two of the consultants shall not be regularly employed by Yale. One or more of the others may be permanent members of a Yale

faculty, but not of the proposing department. The consultants for each case will be selected and invited by the dean-chairman, with the advice of the director of the division. The consultants may, but need not be, persons from whom letters regarding the appointment were solicited. [~~The consultants will receive the dossier in advance, and will participate in the CSAs discussion with the departmental chairman and witnesses and in any further discussion the GSA desires.~~] The consultants will, of course, have no vote, nor will they be present at the voting meeting of the CSA.

- (VI.7) We recommend no change in existing CSA procedures on non-tenure proposals except that CSA members from the proposing departments SHOULD NOT PARTICIPATE IN THE DISCUSSION AFTER THE CHAIRMAN AND OTHER DEPARTMENTAL WITNESSES ARE EXCUSED. [~~be excused at the same time as witnesses presenting the department's case.~~] That is, consultants are not required, and no hiatus between the informative session and the decision session is called for.
- (VI.8) We recommend the designation at the beginning of each academic year of "quorum members" of the JBPO. These would be (a) those members of the JBPO who are members of the four divisional CSAs, and (b) members designated by the departments, by report to the presiding dean, in number either two, or one-sixth of the number of permanent officers in the department (rounded to the nearest integer), whichever is larger. In this calculation, permanent officers with primary appointments in the department will be counted, whether or not on leave. The special responsibility of the quorum member of the JBPO is to acquaint herself with the agenda of JBPO meetings and to attend the meetings, or at a minimum to arrange for an informed alternate to attend. All other permanent officers, of course, have as always the right and responsibility to attend, participate, and vote. A quorum for the conduct of business at a JBPO meeting shall consist of THIRTY-FIVE PERMANENT OFFICERS, [~~one-sixth of the membership not on leave,~~] and no vote shall have force if the number of votes, including recorded abstentions, falls short of a quorum.
- (VI.9) We recommend that the dean forward all proposals, and only those proposals, which, among a total vote no smaller than a quorum, receive affirmative votes from two thirds of those voting.

Affirmative Action

- (VII.1) We recommend that, as soon as practicable after receiving budgetary authorization for positions for which search will occur during the coming or current academic year, the department chairman describe the plans for the search to the affirmative action officer (AAO) of the Provost's Office. After obtaining approval of the plans, the chairman will inform the AAO of any members of the department, other than the chairman, who will be responsible for the searches, e.g. by chairing search committees. The AAO will see that these persons are informed of the affirmative action guidelines and procedures and are provided with the necessary forms. ~~AFTER~~ ~~Priority to~~ the department's decision to recommend a candidate for appointment, the department chairman or the person responsible for the search will obtain the approval of the AAO regarding the adequacy of the search and its conformity with the guidelines. IF THE DEPARTMENT'S RANKING OF THE CANDIDATES RAISES QUESTIONS OF AFFIRMATIVE ACTION, THE AAO WILL NOTIFY THE APPOINTMENTS COMMITTEE AND ASK IT TO REVIEW THE REST OF THE SHORT LIST AT THE TIME IT REVIEWS THE DEPARTMENT'S CANDIDATE. IN SUCH CASES NO OFFER OF APPOINTMENT WILL BE MADE UNTIL THE APPOINTMENTS COMMITTEE HAS COMPLETED ITS DELIBERATIONS. ~~(At the time the department proposes a candidate for appointment, it should forward)~~ The affirmative action document SHOULD BE FORWARDED along with other supporting material to the relevant appointments committee.
- (VII.2) We recommend that the affirmative action office take a more positive role in promoting equal employment opportunities. The office should develop and maintain a file of journals, professional societies, universities, and other institutions to which announcements and advertisements of positions should be sent, and take the responsibility for helping departments draft them and for sending and placing them. ~~[Likewise, the compilation of statistics about applicants and appointments should be centralized in the affirmative action office. The office, rather than the department, should have the responsibility for soliciting from applicants and candidates the profile data needed in these compilations, particularly the data on race, sex, and ethnic origins. For this purpose the department will provide lists of applicants as soon as the searches are completed.]~~
- (VII.3) We recommend that the report on the search, submitted by the department and approved by the affirmative action officer in the Provost's office, be MADE AVAILABLE ~~(included in the candidate's dossier circulated)~~ to each member of the Committee on Senior Appointments.
- (VII.4) We recommend that deans and department chairmen advise all nontenured faculty of the reasonable extent of their respon-

sibilities to undertake administrative assignments or other non-instructional duties, and that they invite nontenured faculty members to discuss with them invitations to serve on departmental, college, faculty, and university committees. It is, in particular, important to help women and minority faculty members, who are likely to receive many requests of this kind, protect the time they need for research and teaching.

Grievances and their Resolution

tion VIII (VIII.1) covered in principle but in detail

- (VIII.1) We recommend that the grievance procedure be simplified as follows: If a complaint cannot be resolved by an informal consultation among the parties directly involved, the complainant may appeal in writing to the dean currently serving as chairman of the relevant appointments committee. The dean should attempt to seek a resolution through consultation with the relevant parties, but we see no need for impaneling an advisory committee as permitted under current policy. Should the dean's attempt at resolution fail, the complainant may then appeal directly to a standing review committee, which will hear the case. A faculty member who feels that the dean, perhaps by virtue of prior involvement in the action giving rise to the complaint, is unlikely to achieve resolution may appeal directly to the review committee. The review committee upon conclusion of its deliberations should report to the Provost, who will accept the committee's findings of fact. If the Provost disagrees with the actions recommended by the committee, he should discuss the matter with the committee before taking final action. The Provost will issue a final decision in writing. The details of the procedure we recommend are fully specified in Appendix B, which constitutes our recommendation for a revised Faculty Handbook description of the review procedures.
- (VIII.2) We recommend that the dean's inquiry be carried out normally within a period of 14 days from receipt of a written complaint. We recommend that the review committee report to the Provost within 45 days of receipt of a written complaint, and we recommend that the Provost issue a final decision within two months of the committee's receipt of a complaint. Thus, the entire review process should normally be completed within a three month period.
- (VIII.3) We further recommend the use of a standing review committee, appointed by the President in consultation with the deans and Provost.
- (VIII.4) We recommend that a complaining faculty member have the explicit right to appear before the review committee, to pro-

pose that the committee interview relevant witnesses, and to inspect all relevant documents not written under presumption of confidentiality.

- (VIII.5) We recommend that the faculty member have a right to be accompanied by an advisor in meeting with any university official or with the review committee. The advisor may be a member of the designated panel, or any other Yale faculty member that the complainant chooses.

Nonladder Appointments for Instruction and Research

- (IX.1) We recommend that the faculty and its relevant departments be prepared to offer ladder appointments, including full-time and tenured positions, to persons who can make distinguished contributions by teaching and participating in the intellectual and cultural life of the College and Graduate School, judging their distinction and originality in creative arts to satisfy the faculty's criteria of excellence in scholarship. We recommend that adjunct appointments in the FAS continue to be only part-time.
- (IX.2) We recommend that it be stated explicitly in the Faculty Handbook that persons holding ladder appointments in the Faculty of Arts and Sciences, however their salaries are financed, on average over time teach or perform related instructional duties at least half time.
- (IX.3) We recommend the following titles for research appointments:
- (a) Postdoctoral Fellow in (department or subject), ~~in place of~~ AND Postdoctoral Associate UNCHANGED.
 - (b) Associate Research Scientist (Economist, Physicist, Scholar) in place of Research Staff (Scientist, Scholar) and of Research Associate in (subject). Thus all persons roughly equivalent to Assistant Professors would have the same title, to be distinguished within the rank like Assistant Professors by salary or seniority.
 - (c) Research (Scientist, Scholar) in (department or subject) in place of Senior Research Associate in (subject).
 - (d) Senior Research (Scientist, Scholar) in (department or subject). This title remains unchanged.