11-1-2012

Faculty Senate Monthly Packet November 2012

Portland State University Faculty Senate
In accordance with the Constitution of the PSU Faculty, Senate Agendas are calendared for delivery ten working days before Senate meetings, so that all faculty will have public notice of curricular proposals, and adequate time to review and research all action items. In the case of lengthy documents, only a summary will be included with the agenda. Full proposals are available at the PSU Curricular Tracking System: http://psucurriculumtracker.pbworks.com. If there are questions or concerns about Agenda items, please consult the appropriate parties and make every attempt to resolve them before the meeting, so as not to delay the business of the PSU Faculty Senate.

Senators are reminded that the Constitution specifies that the Secretary be provided with the name of his/her Senate Alternate. An Alternate is another faculty member from the same Senate division as the faculty senator. A faculty member may serve as Alternate for more than one senator, but an alternate may represent only one Senator at any given meeting.

www.pdx.edu/faculty-senate
The Faculty Senate will hold its regular meeting on **November 5, 2012**, at 3:00 p.m. in room **53 CH**.

**AGENDA**

A. Roll

B. *Approval of the Minutes of the October 1, 2012, Meeting*

C. Announcements and Communications from the Floor
   - Discussion item: New OUS Faculty Ranks.
   - *1. New Faculty Ranks Task Force Report – Bowman*
   - *2. Minority Report on New Faculty Ranks – Schechter*

D. Unfinished Business

E. New Business

F. Question Period
   1. Questions for Administrators
   2. Questions from the Floor for the Chair

G. Reports from Officers of the Administration and Committees
   - President’s Report (16:00)
   - Provost’s Report
   - Report of Vice-President of Research and Strategic Partnerships
   - Annual Report of the Internationalization Council – Shandas
   - http://oia.pdx.edu/intl_council/

H. Adjournment

*The following documents are included in this mailing:*

* B Minutes of the Faculty Senate Meeting of October 1, 2012 and attachments
* C-1. New Faculty Ranks Task Force Report
* C-2. Minority Report on New Faculty Ranks
PORTLAND STATE UNIVERSITY

Minutes: Faculty Senate Meeting, October 1, 2012
Presiding Officer: Rob Daasch
Secretary: Martha W. Hickey


Alternates Present: Perini for Boas, Rissi for Gelmon, McLaughlin for Luther, Hu for Meekishko

Members Absent: Dill, Hansen, Kennedy, Newsom, Pewewardy, Pullman, Wendl


A. ROLL


The meeting was called to order at 3:05 p.m. The minutes were approved with the following correction: RIGELMAN was present.

C. ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR

Hail and Farewell: Presiding Officer Rob Daasch led the Senate in a spirited triple “hip hip hooray” for the 19 years of exemplary service from the out-going Secretary to the Faculty Sarah Andrews-Collier.

Announcements

DAASCH requested that Senators say their names and departments before speaking, sit below the railing boundary so that the microphone can pick them up, and notify the Secretary after the meeting in case of a late arrival. He announced the site visit of the Northwest Commission on Colleges and Universities (NWCCU) with an open Q&A session 10/2 at 1pm (MCB127) and preliminary findings 10/3 at 9:30 am (MCB651).

Minutes of the PSU Faculty Senate Meeting, October 1, 2012
Parliamentary Procedure and Faculty Governance.

LUCKETT reviewed two key procedures for Faculty Senate—methods for closing debate and amending a motion following *Roberts Rules of Order*. *Roberts Rules* offer a detailed and distinctively American approach to parliamentary procedure and deliberately make it difficult to cut off debate:

- Motion to “call the question” is frequently misused; it cannot be called out from the floor. Senators must wait until recognized by the presiding officer. The motion, which is not debatable, is then seconded and the Senate moves immediately to a vote on whether to close debate.
- More typically, if the presiding officer sees that debate on the main motion is ready to stop he can simply ask, “Is everybody ready for the question?” If there are no objections, the presiding officer can move to a vote on the main motion; but if there is even one objection, this method doesn’t work.
- Motion to postpone to a specific future assembly or indefinitely; the motion to postpone is itself debatable.
- Motion to “table” should be used rarely and only to set aside a debate when some more urgent business has to be dealt with. The intention is to return to the question once the urgent question has been decided. The motion to table is not debatable and passes by a simple majority.

There are some pitfalls to watch out for when amending a motion. Under *RRO* there is no “friendly amendment.” Once a motion has been moved and seconded it belongs to the whole assembly and only the whole assembly can amend it. Changes can only be introduced by a “motion to amend” submitted in writing. Amendments can pass by consensus if the presiding officer is convinced that s/he can ask if there are any objections to the amendment, but with even a single objection this won’t work.

LUCKETT also shared some general rules of decorum: Debate issues, not personalities; stick to the subject; do not raise your hand while others are speaking. “Point of Order” can be spoken without recognition and the presiding officer has to make a decision on the point. Senators should not address other senators or refer to them in debate by name. Questions should always be addressed to the chair. The purpose of these rules is to ensure that debate does not generate antagonisms that we will carry outside the assembly.

DAASCH welcomed the new Provost Sona Andrews to the Senate, and new Secretary Martha Hickey, identified by a search process led by the Steering Committee over the summer, and Leslie McBride as presiding officer elect. He then introduced the 2012-13 Senate Steering Committee: Amy Greenstadt, Robert Liebman, Gerardo Lafferriere, Lisa Weasel, and Michael Flower (*ex officio*, Committee on Committees). He reported that the Steering Committee had a very successful September retreat and he looks forward to working with them this year.

By way of introduction, DAASCH offered his view of governance based on the idea that faculty build and enact the regulations for educational policy, there being no more solemn work than educating our students. Shared governance, or figuring out the possibility for action “in tandem” with the Administration, is one of the things that attracted to him to Senate. Senate ratifies the establishment, elimination and modification of academic programs. He hopes to continue the example set by his
recent predecessors of working together in a shared, collaborative environment. Faculty will find many opportunities to serve on committees that extend the work of the Senate.

DAASCH turned to a description of Senate districts, developed and deployed for the first time last year. This year senators will be assigned a district with 20 faculty from their division. The idea is to provide a point of contact between represented faculty and senators to increase the dialogue. The districts are assigned mechanically, based on the spring 2012 election, and names are distributed using a round robin approach, so senators won’t just represent faculty in their own departments. Senators will receive a formatted list of email contacts.

Lastly, DAASCH shared his view of how decision-making occurs in the Senate contrasting curriculum items that arise monthly with the opportunity for the Senate to reserve time on its agenda for discussions that look at broader issues, like the questions raised by the Provost at Convocation. These discussions will help Senate decide whether there is a need for an established or ad hoc committee or other forum to craft recommendations for Senate action. He offered the example of how Senate considered the question of an institutional governing board for PSU last year, and the motion it framed. Issues this year might include the next round of constitutional changes, the new budget model, or the fact that research is becoming a greater and greater component of faculty status and work.

MCBRIDE gave an overview of the Senate’s committees, reviewing the distinction between constitutional committees appointed by the Senate that report back to it, and those administratively appointed that report to the President or Vice-President and that may or may not report back to the Senate. She recommended consulting the Faculty Governance Guide; it has everything faculty need to know about the Senate, its committees, basic functions and procedures. She reminded committee participants about the need for ample lead time to prepare an annual report that must first be vetted by the Steering Committee a month before it is scheduled for the Senate. She encouraged senators to consider service on the Steering Committee—a fascinating opportunity that will give them a real sense of ownership and involvement in the various activities of the University. The Steering Committee makes sure that the most cogent issues are surfaced in Faculty Senate.

Announcement – Draft preliminary recommendations for ORP and PEBB

KENTON, OUS Vice Chancellor for Finance and Administration, reported on the implications of Senate Bill 242 for OUS health care coverage and its Optional Retirement Plan (ORP). SB 242 established two labor-management committees charged with reviewing and considering changes to these plans. In response to shortcomings identified by the IRS, the ORP Committee has prepared draft recommendations to reduce administrative costs, to maintain member eligibility regardless of numbers of hours worked in a given plan year, and to establish a new tier after July 1, 2014 with a guaranteed 8% contribution with up to an additional 4% match (slide 5, attached). The committee is seeking faculty response.
The PEBB labor-management committee studied health care in Oregon, looked at options for the OUS system, and developed an OUS Benefits philosophy statement (slide 8, attached). KENTON disclosed that OUS contributes 67 million dollars over its actual costs to the PEBB system (thanks to our lower health risk pool and healthy life style choices). System costs grow 5-10% a year and these increases have to be recouped, in part, through tuition increases. Although an OUS survey found a strong consensus that options other than PEBB should be evaluated, the Governor is currently looking to control costs by aggregating all plans. KENTON encouraged faculty to offer feedback on the committee’s recommendations (slides 11 & 12, attached), commenting that if OUS stays in PEBB, it needs to have more of a voice in the sculpting of the plans and a reduction of its subsidy. The final committee reports are both due to the Legislature on Dec. 1, 2012.

D. UNFINISHED BUSINESS
   1. Report of Ad Hoc Committee on IST Courses

GOULD offered an update on the committee’s written report submitted in June (D-1 attachment). The committee felt it was a good idea to keep the IST designation as an option, although with better oversight and supervision. The report suggested two models, but players have changed in the interim, and there appears to be a new model emerging. It has been suggested that the Dean of Undergraduate Studies could administer these courses with a small sub-committee that would report to the UCC and on to Faculty Senate. There is now an effort to revive Chiron Studies in the Graduate School of Education, where it is under review; however, its funding is set to end in December 2012. The committee intends to return with a report as soon as it has a crystallized model to put before the Senate.

E. NEW BUSINESS
   1. Curricular Consent Agenda - deferred until reports from Administrators

DAASCH explained the use of the Consent Agenda, adopted to move the curricular business of the Senate forward more efficiently. The process requires senators with questions or concerns about individual items to request that these items be removed from the reports of the Curriculum Committee and/or Grad Council (i.e. the Consent Agenda) before the conclusion of Roll Call in Senate for a separate discussion.

LAFERRIERE/BURNS MOVED THE SENATE APPROVE curricular proposals as listed in E-1 (the Consent Agenda).

THE MOTION PASSED by unanimous voice vote (at 4:30 pm).

DAASCH reminded senators that detailed information on the courses and programs under review by the Curriculum Committee and Grad Council are on the Curriculum Wiki. The address of the Wiki is on the front page of the monthly Senate Agenda.

F. QUESTION PERIOD
   None.

Minutes of the PSU Faculty Senate Meeting, October 1, 2012
G. REPORTS FROM OFFICERS OF THE ADMINISTRATION AND COMMITTEES

President’s Report
WIEWEL welcomed the new officers and senators on their return to campus. He remarked on the link between rising PEBB costs and rising tuition and the implications of PSU’s share of the subsidy to PEBB (7 to 10 million dollars) in terms of rising student loan debt. His updates included: The University’s growing success in fund-raising, US News and World Reports ranking PSU as one of the top ten up-and-coming and innovative universities, PSU’s participation in Portland State of Mind events in October, the new Life Sciences Building is progressing to completion of its exterior, and faculty member Ivan Sutherland (ECS) was awarded the Kyoto Prize. WIEWEL noted that enrollment will be a little bit lower than the 2% targeted, but a new Associate Vice President for Enrollment Management will help PSU improve its systematic efforts to maintain a 2 to 3% annual growth rate. Next year he plans to look at whether the current strategic plan still captures what we want it to capture. This year he will be working with his new nine-member executive leadership team to bring the new budget model closer to conclusion and dealing with the issue of institutional boards. He commended the Senate for its motion last year outlining the conditions of its support for the latter. He concluded by expressing his strong support for the themes that the Provost introduced at Convocation and their importance for the future of the institution. Entering his fifth year at PSU, he looks forward to molding his leadership team and being PSU’s number-one cheer leader and salesman, a job that he does with ever more relish and pride.

DAACSH announced the deferral of the consent agenda until after the Provost’s remarks.

Provost’s Report
ANDREWS had five specific items that she wished to share with Senate:

- On the current budget: She is very optimistic that reforms accomplished will help deans and departments really plan for what they will do this year. She said to look for FAQs on the FADM web site about budget numbers and definitions so that we can all be speaking the same language. She plans on working directly with the Faculty Senate Budget Committee on a planning/budget process that will begin in January 2013 for FY14.

- On remarks at Convocation: She shared her amusement at the Vanguard headline (“Provost has lots of questions and no answers”). She plans to engage the campus in discussion about these questions through conversations with Senate committees, bringing in outside speakers, hosting a January Forum, and providing department level grants for exploring ways in which to re-envision the curriculum and the student experience.

  A video of the Provost’s presentation is available on web at http://www.youtube.com/watch?v=wJJ4odN3hYY&feature=plcp

- On the merger of the COL and CAE: She has shared a draft for a new entity with the Academic Leadership Team and Senate Steering Committee—a new “Center for Learning and Teaching Innovation.” This entity will go through the established shared governance process for the creation of new programs.
• On the NWCCU Accreditation: This review is the third-year review and focuses on the institution’s core themes and indicators for what the accreditors are calling “mission fulfillment.” The commission will drop the five-year review visit.

• On the Survey on Faculty Satisfaction and Career flexibility (fall 2011): The survey was conducted of tenure-line faculty at all OUS institutions with the exception of U of Oregon. The report will provide benchmark data that is national in scope and should allow the University to consider what improvements might be needed. ANDREWS proposes to review survey results and bring items back to the Senate. (For example, one question asked is: Does the institution have a tenure-clock extension policy? The institution may have one, ANDREWS commented, but if not many know what it is, or use it effectively, this prohibits things from happening.)

Report from ASPSU University Affairs director Thomas Worth.

WORTH outlined the process by which students are appointed to serve on University Committees, including review by ASPSU and the Dean of Student Life. (See attachment.) New this year is the expectation that students will be required to provide committee reports to track their attendance, generate institutional memory for ASPSU, and give students with the opportunity to consult with ASPSU. He requested that Committee chairs let him know if there are breakdowns in communication or if vacancies should arise during the year.

O’BANION asked how students are vetted. WORTH replied that students have to submit an application with information about their experience, interest and commitment. MERCER asked what should committees do when students just stop coming? WORTH asked that committee chairs email him or ‘cc him and he will follow up with the student. CUNLIFFE noted that the Curriculum Committee has some areas in the Curriculum Tracker Wiki where comments are exchanged that are not public, and parts of meetings where individuals presenting proposals are not invited to stay for deliberations. She asked about the expectations for the summary reports student members will write and how they will respect the confidentiality of these deliberations. WORTH referred to state open meeting law that allows for executive sessions where information shared is not reported on, as opposed to public sessions. REESE asked whether the vetting process verifies students’ enrollment status or looks at their ability to take on roles that won’t hinder their success academically. WORTH answered that the Dean of Student life verifies enrollment and has a benchmark GPA; students have to assess whether they can handle it. STEVENS applauded ASPSU’s efforts to implement a fair process and stressed the importance of mentoring and providing students with an understanding of faculty governance.

DAASCH called for SW, LAS-A&L and LAS-Sciences to caucus after the meeting to elect their representatives to the Committee on Committees.

H. ADJOURNMENT

The meeting was adjourned at 4:47 pm.
Oregon University System
Labor-Management Committees’
Preliminary Recommendations

Senate Bill 242
Optional Retirement Plan (ORP)
and
Health and Wellness

SB 242 Requirements

Senate Bill 242

SEC. 1. Section 43, chapter 635, Oregon Laws 2011, is amended to read:
Sec. 43. (1) The State Board of Higher Education shall establish a committee consisting of representatives of public university management and of employees, both
public and private, as appropriate.
(2) An optional retirement plan as described in ORS 243.800; and
(3) Continued participation in the Public Employees’ Retirement Plan, transfer of
employee participation to the Oregon Educators’. Benefit Board or participation in
an alternative retirement plan as described in ORS 243.900.

The State Board of Higher Education shall also make a report based upon the
recommendations of this committee to the Legislative Assembly prior to October
December 1, 2011. The State Board of Higher Education may not make any changes to
retirement plans based on the report until July 1, 2012. The State Board of Higher
Education must make any changes to group health and welfare insurance benefit
plans between January 1, 2013, and May 1, 2013, to become effective on January 1,
2014.

Optional Retirement Plan (ORP)
Committee Membership

Committee members included:
• Scott Beaver, WOU Associate Professor
• John Chalmers, UO Associate Professor
• Larry Curtis, OSU Associate Dean
• Maude Hines, PSU Associate Professor
• Ron Narode, PSU Associate Professor
• Ernie Preszman, UO Benefits Administrator
• Shana Sechrist, PSU Associate Vice President of Human Resources
• Sandy Smith, WOU Budget and Personnel Manager
• Jay Stephens, SOU Director of Human Resources
• The committee was co-chaired by OUS Vice Chancellor Jay Kenton
and OUS Retirement Plans Administrator Nathan Klinkhammer.

Optional Retirement Plan (ORP)

Data Collection and Analysis:
• Survey of the entire population of active ORP participants (3,600)
• 1,600 responses were received (45% response rate)
• Currently ORS 243.800 links the ORP which is a defined contribution
plan to PERS which is a hybrid plan (primarily a defined benefit plan
and secondarily a defined contribution plan -aka IAP).
• Problematic for determining continuing eligibility; and
• Fluctuating rates make planning more difficult.
• IRS is requiring OUS to have a definitively determinable
contribution rate in the ORP.
ORP Committee Preliminary Recommendations

Amend ORS 245.800 as follows to:

- Remove the restriction of the number of providers of annuity and mutual fund investment products to achieve preferential investment product pricing and to reduce administration costs.
- Restate eligibility requirements to improve operability with requirement to contribute monthly into daily valued, participant-directed investments.
- Establish a new defined contribution tier for eligible academic and administrative employees hired on or after July 1, 2014.
- Retain the current contribution, benefits and privileges of Tier One, Tier Two and Tier Three ORP Participants under ORS 245.800.
- New contribution model (for those hired after July 2014) may include match of 401(k) deferrals and full employer contributions to provide total Optional Retirement Plan contributions of 12%.

Health and Wellness Committee

- The committee engaged Gallagher Benefit Services, Inc. as consultants. Working with the consultants the committee:
  - Worked through a comprehensive overview of group health insurance plan design and benchmarking;
  - Learned about the history and status of PEBB, OEBB, and OUS' affiliate Oregon Health Sciences University plan;
  - Reviewed Oregon statutory requirements and mandates regarding health insurance; general health insurance concepts and types of plans;
  - Discussed national health care reform issues; and administration and funding options for health and welfare plans.
- Commissioned an employee benefits survey to explore employees' satisfaction with PEBB and opportunities to improve upon current plans and services. (Entire population of 15,498 employees surveyed with a 5,666 responses - 42% response rate)
- Heard from Sean Kolmer, Governor Kitzhaber’s Healthcare Advisor and new chair of the PEBB Board

Health and Wellness Committee Membership

Committee members included:

- Craig Moom, SOU Vice President for Finance & Administration
- David Hansen, PSU AAUP Faculty
- Donna Chastain, OUS Employee Benefits Manager
- Ernie Pressman, UO Benefits Administrator
- Grant Kirby, OIT Associate Professor
- Jim Tenbury, OSU Professor
- Kerry Gilbreath, PSU Associate Director of Benefits
- Marc Nieman, PSU Science Support Center
- Marshall Guthrie, WSU Education Advisor-Student Enrichment Program
- Michael Lambrecht, EDU Human Resources Director
- Peter Callen, WOU Professor and PEBB Board Member
- Phil Lusch, PSU AAUP Executive Director
- Phillip Hatway, MD, OUS Director of Student Health Services
- Robert Fulmer, PSU IT Specialist
- The committee was co-chaired by OUS Vice Chancellor for Finance and Administration Jay Kanten and OUS Chief Human Resources Officer Denise Yanker.

OUS Benefits Philosophy Statement

- These nine elements represent values that reflect the campus community’s needs and the committee’s goals for plans and services uniquely suited to a wide spectrum of employee demographic, employment, educational and socio-economic profiles that exist within the university system.
  - Employees have a high-quality, affordable plans.
  - Benefits are a part of total employee compensation that supports retention and recruitment.
  - Plans and providers are available to employees and retirees in local provider network areas and in rural, national, and international locales where they are needed.
  - Plans encourage and support members with a variety of programs and services to manage their own health by pursuing healthy lifestyles and making healthy choices.
  - Employees are included in decision-making about health and wellness benefits plans.
  - Provider and plan reporting identifies and reports on areas of measurable progress and needs in health improvement.
  - Clear, concise, accessible benefits information and member services tailored to the needs of the university system employees.
  - Cost containment as a balance between plan design and cost is a strategic goal.
  - Member and plan services are timely, accurate, and responsive to the university system employees and administrators.
Most survey respondents indicated general satisfaction with benefit programs, though concerns were expressed regarding:
• Service issues for employees working out of state/country and for rural universities
• Communications concerns, especially related to HEM and the manner in which other program changes were implemented
• 70% of employees expressed a desire to evaluate options other than PEBB; 13% favored staying in PEBB and 18% wanted to wait until the impacts of healthcare reforms became more clear
• Gallagher found that OUS paid PEBB $67M more than its claims cost during the 2010 and 2011 plan years and that if OUS switched to OEBB this would add another $29M to this two-year subsidy
• Increasing healthcare costs was acknowledged as a key driver of tuition

Gov. Kitzhaber’s Health Care Reforms

Changing the way care in organized and delivered, via:
• Establishment of health insurance exchanges and Coordinated Care Organizations (CCO’s)
• Participants engaged in health management (HEM)
• Based on even larger healthcare pools, containing upwards of 1.0 million citizens
• Putting pressure on the provider networks to bend the cost curve
• Triple aim: better health, better care and lower costs.

Health and Welfare Committee’s Conclusions

Although committee members’ perspectives varied on some specific health insurance issues, they agreed:
• The option of transferring to OEBB was not viable due to an unrealistically estimated increase in cost to OUS; disruption of participant-provider relationships; significant differences in plan year and enrollment calendars; and questions about OEBB’s future direction.
• That there is interest in changing OUS’ participation in PEBB, but not complete agreement to separate from PEBB at this time.
• If the university system is unable to separate from PEBB, OUS’ representation in decision-making needs to be strengthened at the Board and Operations levels.
• A benefit contribution structure based on actuarially determined price tiers or converted to single defined contribution amount would not be endorsed by all members.
• OUS’ long-standing subsidization of the insurance pool should be reduced based on OUS’ costs and contribution rates for better control of benefits costs that relate to student tuition for Oregonians; and
• Special needs such as adequacy of out-of-area coverage remain to be addressed for OUS employees.

Health and Welfare Committee’s Preliminary Recommendations

Continuing with PEBB requires significant management to act on the committee’s recommendations (shown below) giving the university system adequate standing and voice in PEBB decision making and implementing a group plan leadership structure that would be charged with implementation of the committee’s specific recommendations for this report and ongoing redress of OUS issues.
• Establish a OUS Employee Council (PEC) to work in tandem with OUS input into PEBB and to ensure high-level prioritization of actuarial funding
• Improve PEBB’s Health Engagement Model (HEM) with an informative employee engagement model and implementation;
• Establish an OUS/PEBB Legislative/Executive Oversight Committee (COO) that would act as a liaison to OUS representatives for OUS’ input into PEBB and provide information to OUS and/or other legislative standing committees to improve the management of PEBB.
• Establish PEBB’s Employee Council, which would be composed of employees representing employees, students, faculty, administration, and other institutional staff in each area.
• Contribute OUS’s share of employee’s contributions back into the PEBB fund and include OUS in shared administrative functions for PEBB
• Establish an all-inclusive leadership structure for the Board of Trustees of PEBB, including:
• A PEBB CEO with line responsibility for administration; and
• A PEBB CFO with strong analytical skills to oversee investments and overall fiscal responsibility.
• Establish a PEBB whistleblower policy to encourage all PEBB staff, including those in administrative support roles, to report any violation of federal and state law, and ethical violations.

Health and Welfare Committee’s Recommendations

In order to fully explore the recommendations presented by the committee,:
• The Board of Trustees of PEBB should be diligent in their oversight of:
• The proper use of funds;
• The financial stability of PEBB;
• The ability of PEBB to facilitate the health of Oregonians;
• The ability of PEBB to maintain strong leadership;
• The ability of PEBB to maintain a workforce that will provide quality healthcare services; and
• The ability of PEBB to maintain a system that is open and transparent.

Additionally, the Board of Trustees of PEBB should:
• Have a document to review the PEBB’s current funding structure and its potential impact on the long-term financial sustainability of Oregonians;
• Have a document to review the PEBB’s current funding structure and its potential impact on the long-term financial sustainability of Oregonians;
• Have a document to review the PEBB’s current funding structure and its potential impact on the long-term financial sustainability of Oregonians;
• Have a document to review the PEBB’s current funding structure and its potential impact on the long-term financial sustainability of Oregonians;
Next Steps:

- **October** – preliminary reports posted on OUS website
  - Campus presentations
  - Faculty Senate meeting
  - Benefit Fairs
  - Meetings with labor groups
  - Board briefing – October 5

- **November**
  - Final committee meeting to consider input
  - Final Board approval of Committee reports and cover letters containing Board’s comments and concerns – November 16
  - Final reports posted on OUS website

- **December 1** – final reports submitted to Legislature

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To review full reports, see:

Please send comments, if any by October 30, 2012

to your committee representative or to:
- ORP – SB242ORP@ous.edu
- H&W – SB242HealthPlans@ous.edu

Thank you!
All University Committees

“A New Student Process”
Thomas Worth
ASPSU University Affairs Director
aspsu-affairs@gmail.com
SMSU 117

Restructuring

– Updated process
  • AUC student application flow chart
  • One year terms of office
  • AUC accountability to the process

– Mandatory committee reports
  • Attendance
  • Institutional memory
  • Better informed decision making

AUC Student Application Process

• The University Affairs Director vets applicants and makes recommendations to the Student Body President.
• The SBP nominates students and sends their application to the Dean of Student Life’s office.
• The DoSL verifies their eligibility and sends the student’s application to the Faculty Senate Secretary’s office.
• The Faculty Senate Secretary’s office sends an appointment letter to the student, the committee chair, the DoS’s office, and me.
• The student accepts or declines their appointment.
• If a vacancy arises throughout the year the committee chair should email the University Affairs Director to find a replacement.

AUC Process Accountability

• To hold ourselves accountable to the process I have created an AUC Chart to track the applications of students.
  – As the student’s application moves through the process, the office that last made a decision on the application must go online and post their decision with a date.
  – This allows all offices (ASPSU, DoS, Faculty Senate) to know where each student’s application is at all times.
Committee Reports

- Reports will be used for:
  - Attendance
  - Institutional memory
  - ASPSU analysis
  - Better informed decision making

- Student reports should include:
  - Student's name, the committee name and the date of the committee meeting.
  - A list of topics discussed with a brief summary of each.
  - In bold print the student should specify any "action items" that were discussed.

Communication Breakdown?

- If at any time throughout the year there is a communication breakdown between the committee chair, or the committee, and the student representative(s), the University Affairs Director should be notified to resolve the issue.

Conclusion

Any questions or concerns?

Thomas Worth
aspsu.affairs@gmail.com

Thank you!
Final Report of the New Academic Ranks Task Force

15 June 2012

Members: Michael Bowman (chair), J.R. Estes, Victoria Gilbert, Christina Gildersleeve-Neumann, Amy Greenstadt, Chia Yin Hsu, Cheryl Livneh, Laurie Powers, Patricia Schechter.

Introduction
The New Academic Ranks Task Force was charged in February 2012 by the Provost and the Presiding Officer of the Faculty Senate to provide recommendations on Portland State University’s implementation of the new academic ranks and titles for non-tenure track faculty (NTTF) that were adopted by OUS in January 2012. These ranks and titles are described in OAR 580-020-0005.

The Task Force was also charged to define and explicate the documentation required to justify promotion to each rank recommended for use. In addition, the process for handling ranks that would no longer be in use and the timeline for sunsetting those ranks.

Task Force Work
The Task Force met consistently during winter and spring quarters 2012. In addition to nearly a dozen highly engaged work sessions, individual members of the committee surveyed practices nationally by discipline and among comparator institutions. Committee members met in smaller working groups to explore and debate issues raised by the new ranks. Members also conferred formally and informally with colleagues within and across departments. Early on, an additional member, Christina Gildersleeve-Neumann, the chair of a department that would make use of the Clinical Professor/Professor of Practice title, was brought on board.

Once the Task Force had some drafts that we felt could be shared we:

- Consulted with department chairs (and some other faculty), focusing particularly in schools/colleges not represented on the Task Force, FPA, MCECS, and SBA, as well as chairs within other schools and colleges.
- The Task Force chair attended the AAUP Fixed-Term Faculty Caucus and spent about 45 minutes presenting, answering questions, and gathering comments from the faculty.

General principles guided and affirmed through this process included:

- That ranks primarily reflect job, given credentials, and experience. The duties laid out in individual faculty members’ letters of offer are the basis of evaluation.
- That the customary terms affiliate, adjunct, visiting fellow, or emeriti remain available to units for the fulfillment of their goals and objectives.
- Faculty whose job titles do not include the auxiliary terms affiliate, adjunct, visiting fellow, or emeriti should have a reasonable expectation of promotion based on job performance and seniority. We advise that in the hiring of these full-time, permanent faculty normal hiring procedures be followed and should not be waived unless there are exceptional circumstances.
• Hiring into all ranks above 0.5 FTE follow, at a minimum, requirements specified under the Collective Bargaining Agreement and Human Resource’s new Fast Track process.

• Currently employed non-tenure track faculty will have the option of being grandfathered in to their ranks and existing departmental promotion processes and policies.

• A minority of the Task Force also requested that the following proviso adhere to service and governance responsibilities for non-tenure track faculty:

  Non-tenure track faculty should not have service responsibilities that may involve conflict of interest (for example, these faculty should not be involved in curricular or budgetary decisions that have the potential to affect their job security).

### Recommended Titles

The Task Force recommends that Portland State University use the following non-tenure track faculty (NTTF) titles: Clinical Professor/Professor of Practice, Instructor, Research Assistant, Research Associate, and Research Faculty.

The Task Force recommends that Portland State not use the Lecturer or Librarian titles.

The Task Force does not find the differentiation of fixed-term instructional positions into undergraduate and graduate instruction useful. It makes the process of determining appropriate title and rank more difficult for units as it adds complexity without a significant benefit. In soliciting feedback from department chairs it became clear that chairs would do what they felt they needed to do in order to cover the needed work, and that increased complexity would increase the chance of their ignoring the actual rank definitions. The Task Force does not find the argument that the ranks can be used to distinguish whether or not faculty members hold a terminal degree persuasive. In the new OAR lecturer appointments “must include significant mentoring and advising responsibilities and a significant measure of responsibility for graduate education.” It also states “the holding of a terminal degree in itself does not constitute an argument for appointment in the lecturer series.” A survey of comparator institutions did not find any institution that added a second instructional rank series. The majority of fixed-term faculty consulted preferred a single title.

The Library has no interest in using the Librarian title as there would be confusion with some of the librarians having the rank of Assistant Librarian and other librarians holding the rank of Instructor or Assistant Professor. The Task Force can think of no other unit that would use this title.

### Recommendation & Options for Currently Employed NTTF

The Task Force recommends that currently employed fixed-term faculty be offered voluntary reclassification.

The reclassification process outlined below should be applied to currently employed fixed-term faculty members during their annual review, following the department’s review process and in accordance with departmental guidelines for review. The faculty member would then be able to choose between switching to the new rank or staying at their existing rank.

The one exception to this is regarding faculty at the senior instructor, senior research assistant, and senior research associate ranks. These ranks no longer exist in the new system so the Task Force recommends that these faculty members be mandatorily reclassified to senior instructor I or an appropriate clinical professor/professor of practice rank, senior research assistant I, or senior research associate I (respectively) instead of staying at the deleted rank. (They still may, of course, have an option of accepting reclassification or promotion into another title and rank, as determined by their department’s fixed-term faculty review process.) The reason to reclassify into a senior
Reclassification Process

The Task Force recommends that currently employed fixed-term faculty should be reviewed for reclassification at the time of the first annual review after these ranks go into effect. The committees and individuals involved in each department’s fixed-term faculty review process, in accordance with departmental guidelines for review, should be involved in the process as each faculty member’s materials move through review. Faculty in the second or later year of a multi-year contract would have their potential reclassification evaluated through the review process, even in the absence of an annual review. No faculty member shall receive a pay cut as a result of reclassification.

Promotion Streams for Currently Employed Non-Tenure Track Faculty

The Task Force recommends the following promotion streams for non-tenure track faculty currently employed at Portland State (current as of the adoption date of this process):

- Non-tenure track faculty that participate in voluntary reclassification can be promoted to higher ranks within their title based on their job descriptions and the criteria laid out in the final section of this document for each rank and title.

- Non-tenure track faculty that stay in their same rank (or are reclassified due to their existing rank having been discontinued) can be promoted in one of two ways:
  1. They can be promoted up the ranks in their title, based on the criteria for promotion detailed at the end of the document.
  2. They can follow currently existing departmental policies and procedures to attempt promotion to, and promotion within, the professorial ranks. Their ability to be promoted to, and within, the professorial ranks is grandfathered.

Use of Auxiliary Titles for Visiting Faculty

The Committee recommends that the auxiliary title visiting be added to the titles of faculty members hired on a temporary basis. The committee further wishes to clarify that:

1. Although in the OAR the professorial ranks are defined as tenure-track, the term visiting may be added to these ranks for faculty hired on a temporary or part-time basis at 0.5 FTE or higher.

2. The university should prioritize hiring permanent, full-time faculty wherever possible to promote student retention and healthy faculty governance.

3. Visiting faculty are brought in for their unique expertise and their employment is an opportunity for them to contribute to the University. These limited-duration appointments offered to visiting faculty shall not exceed a total of two years.
Title & Rank Write-Ups

Clinical Professor/Professor of Practice

Professor of Practice: A non-tenure track faculty appointment for individuals with primary duties in the areas of clinical or practice instruction or professionally related community education/service. Faculty hired in this category must have an advanced degree associated within their fields of specialization from an accredited program within their discipline or have comparable experience. Professor of practice members are licensed or certified professionals, or individuals in professional fields. Unique discipline-specific criteria may be defined by the unit for professor of practice and clinical practice ranks.

The major responsibility involves the education and support of students/learners in academic, clinical, and/or practice settings, supervising clinical experiences, and/or professionally related community engagement.

The title Clinical Professor may be used by some units instead of or in addition to Professor of Practice as appropriate for specific disciplines. The description, rank, and promotion criteria will be equivalent.

Ranks in this title in ascending order are assistant professor of practice, associate professor of practice, and professor of practice (or clinical assistant professor, clinical associate professor, or clinical professor).

Promotion in the category of Professor of Practice is based on criteria such as:

- Length of academic employment.
- Length of clinical/professional experience.
- Quality of instruction, as determined by classroom observation, assessment of student-learning outcomes, and review of student evaluations (statistically corrected for bias) and course materials such as assignments and syllabi.
- Expertise in the field, as determined by ongoing revision of course materials and participation in career-building opportunities such as: continuing education, workshops, conferences, or other professional activities. A publication record may also demonstrate expertise in the field, but publication is not required for employment or promotion.
- Experience with racially, ethnically, culturally, and gender diverse practice and/or students.
- Community engagement, if written into the individual’s job description.
- Scholarly or creative activity, if written into the individual’s job description.

Promotion to Associate Professor of Practice

Typically, candidates will meet the following requirements unless there is remarkable achievement:

- A minimum of six years post-certification professional experience,
- At least three years of clinical/professional practice teaching in an academic setting.

Promotion Recommendations are based on criteria such as:

1. Evidence of effectiveness in clinical/professional instruction. This area includes materials indicating command of the academic and/or clinical subject matter, ability to motivate, mentor/advise, and assess students, and creative and effective use of teaching methods.
a. Candidates must submit student evaluations for all quarters in the past three years in which they have had supervisory and/or teaching responsibilities (or less than three if they have not been employed at Portland State University for that length of time).

b. Other examples of evidence may include, but are not limited to:
   - Developing, reviewing, or redesigning courses or other curricular components.
   - Development and publication of innovative instructional techniques.
   - Recognition of outstanding teaching through campus-wide, state, and national teaching awards.
   - Serving on master theses and/or special projects.
   - Faculty peer evaluation based on observation and/or co-teaching.
   - Documentation of impact of teaching activities on student learning and preparation for professional practice.

c. Other evidence of command of subject matter may include, but is not limited to:
   - Documented evidence of continuing education.
   - Evidence of classes audited or formally completed.
   - Tutorial tools developed by the clinical faculty member to assist student learning.
   - Training packets developed by the professor of practice for use in instruction.
   - Specialty certification or recognition.
   - Designing and delivering workshops, continuing education and professional development experiences.
   - Completion of an advanced degree in a related discipline.

2. Evidence of engagement of a professional nature to the institution, the community, and the state. Examples of engagement include:
   - Participation in school/college and university committees.
   - Contracts for provision of engagement outside of the school/college.
   - Membership and leadership roles in professional associations at local, state, national, or international levels.
   - Appointment to government committees, advisory panels, community panels, or other governing boards.
   - Mentoring a student group.
   - Leadership role in an academic program.
   - Effective liaison with field agencies if teaching in a clinical program.

3. *Evidence of scholarly or creative activity.* This category includes activities that have resulted in the generation of new ways of conceptualizing some aspect of the clinical/professional process. Generally these activities have yielded a body of knowledge that would be potentially valuable for presentation to peers in a forum such as local, regional or national conferences or other professional gatherings. Candidates should include records of such activities, for example:
   - New or modified clinical protocols and/or therapeutic techniques.
- Papers presented.
- Completed, but unpublished/presented research scholarly activity.
- Publications.
- Grant applications.
- Artistic shows or concerts.

Promotion to Full Professor of Practice

Typically candidates meet the following requirements unless there is remarkable achievement:

- At least 10 years of part- or full-time professional experience in the clinical/professional discipline post-certification.
- At least six years of clinical/professional teaching in an academic setting, with a minimum of two years at Portland State University.
- A high degree of academic maturity and responsibility.

Promotion Recommendations (in addition to the criteria for promotion to associate professor) is based on criteria such as:

1. Documented evidence of a consistent pattern of high quality professional productivity. This should be illustrative of professional productivity at regular intervals over a period of years.
2. Evidence of national and/or international recognition in the discipline. Such evidence may be indicated by, for example:
   - Appointments as a reviewer of peer-reviewed journals.
   - Invited papers and presentations given beyond the state and region.
   - Honors, grants, awards.
   - Committee service and leadership with national or international professional associations.

Instructor

Qualifications and Duties

A faculty appointment for individuals with unclassified instructional responsibilities which are devoted to academic instruction. Such appointments include advising and mentoring expectations congruent with creative and engaged instruction. This appointment requires an advanced degree in the field of specialization.

A minority of the Task Force believes that the Instructor title description should be replaced with the following: A faculty appointment for individuals with unclassified instructional appointments whose functions are devoted exclusively or primarily to undergraduate academic instruction focused on foundational courses in their disciplines. Such appointments include advising and mentoring expectations congruent with creative and engaged undergraduate instruction. This appointment requires an advanced degree in the field. Instructors with appropriate credentials and a record of scholarly achievement may occasionally teach some advanced courses such as graduate courses, as these are approved by the department chair and/or curriculum committee and an academic dean.
Promotion Guidelines

Promotion in this category is based on length of employment, quality of instruction, and expertise in the field. Other factors can be evaluated, based on the duties specified in each faculty member’s letter of offer. In evaluating instructors, use criteria such as:

Length of Employment

Faculty in this category will generally be hired into the instructor rank. A faculty member will not be eligible for consideration for promotion to senior instructor I until the third year in rank as an instructor. Exceptions that result in consideration for promotion immediately upon eligibility should occur only in cases of extraordinary achievement. Length of time in rank is not a sufficient reason for promotion.

A faculty member will normally not be considered for promotion to senior instructor II until the fourth year in rank as a senior instructor I. Exceptions will be made only in extraordinary cases. Consideration for promotion immediately upon eligibility should occur only in cases of extraordinary achievement. Length of time in rank is not a sufficient reason for promotion.

Quality of Instruction

Quality of instruction is determined by measures such as classroom observation, assessment of student-learning outcomes, evidence of successful student mentoring and advising, review of student evaluations (statistically corrected for bias) and assessment of course materials such as assignments and syllabi.

Expertise in the Field

Expertise in the field is determined by such criteria as holding a related advanced degree or certification; ongoing revision of course materials; and participation in career-building opportunities such as continuing education, workshops, conferences, or other professional activities. A publication record may also demonstrate expertise in the field, but publication is not required for employment or promotion.

Research Professor

Professorial ranks will be available for individuals who are primarily engaged in research at a level normally appropriate for a professorial rank. Ranks for this appointment are research assistant professor, research associate professor and research full professor.

Appointees to the rank of research assistant professor ordinarily hold the highest earned degree in their fields of specialization. In most fields, the doctorate will be expected. A research assistant professor also will have an established record of initial success in securing and leading funded research and in other related scholarship that contributes to knowledge in the individual’s field of specialization.

A faculty member will not be eligible for consideration for promotion to research associate professor until the third year in rank as a research assistant professor. In the usual course of events, promotion to research associate professor is in the sixth year in rank as a research assistant professor. Exceptions which result in consideration for promotion immediately upon eligibility should occur only in cases of extraordinary achievement. Length of time in rank is not a sufficient reason for promotion. Promotion to the rank of research associate professor requires the individual to have made contributions to knowledge primarily through leadership for funded research and other related scholarship. High quality and significance are the essential criteria for evaluation. Although not required for this position, teaching or service responsibilities included in a letter of appointment will be recognized.
A faculty member will normally not be considered for promotion to research full professor until the fourth year in rank as a research associate professor. Exceptions will be made only in extraordinary cases. Consideration for promotion immediately upon eligibility should occur only in cases of extraordinary achievement. Length of time in rank is not a sufficient reason for promotion. Promotion to the rank of research full professor requires the individual to have made significant contributions to knowledge primarily through funded research and other related scholarship. High quality and significance are the essential criteria for evaluation. The candidate’s scholarly portfolio should document a record of distinguished accomplishments in funded research, as well as leadership for significant contributions to the individual’s field of specialization. Although not required for this position, teaching or service responsibilities included in a letter of appointment will be recognized.

**Research Assistant**

A NTTF (Non-Tenure Track Faculty) appointment for individuals who typically have earned a bachelor’s or master’s degree. Exceptions may include individuals with specific expertise required for the research project. Research assistants conduct research under the direction of a senior research assistant, research associate, research professor, or tenure-related faculty member. Ranks in this category in ascending order are research assistant, senior research assistant I, and senior research assistant II. Typically, individuals in the rank of research assistant will gather research or evaluation data using a pre-determined protocol, carry out routine procedures, gather materials for reports, perform routine data processing or lab work, data management, and routine, basic quantitative or qualitative data analysis. Faculty at the research assistant rank receives close supervision and may be asked to supervise students.

A faculty member will be considered for promotion to the rank of senior research assistant I with two years of experience at the research assistant rank or its equivalent. Promotion to the rank of senior research assistant I requires that the faculty member demonstrate the ability to perform focused research or evaluation tasks that may include assisting in the coordination of research activities, communication with community and interdisciplinary collaborators, qualitative or statistical analysis, maintenance of data bases, collection, processing and reporting of data, or the preparation of reports and presentations. A faculty member at the rank of senior research assistant I receives general supervision and may be assigned to supervise research assistants and students.

A faculty member will be considered for promotion to the rank of senior research assistant II with two years of experience at the senior research assistant I rank or its equivalent. Promotion to the rank of senior research assistant II requires that the faculty member demonstrate the ability to perform a variety of research or evaluation tasks and independently coordinate research activities, which may include coordination with community or interdisciplinary research partners, qualitative and statistical analysis, maintenance of data bases, coordinate collection, processing and reporting of data, and the preparation of reports and presentations. A faculty member at the rank of senior research assistant II receives general supervision and may be assigned to supervise employees ranked as research assistants, senior research assistant I, and students.

**Research Associate**

A NTTF (Non-Tenure Track Faculty) faculty member at the rank of research associate may have a doctoral degree or another appropriate combination of educational achievement and expertise. A faculty member at this rank will conduct research or evaluation independently or with minimal supervision. Ranks in this category in ascending order are research associate, senior research associate I, and senior research associate II.

A faculty member will be considered for promotion to the rank of research associate with four or more years of progressively responsible research experience. Promotion to the rank of research associate requires that the faculty member demonstrate the ability to participate in the design,
execution and control of quantitative or qualitative research or evaluation studies; manage the analysis of data; manage intervention delivery to fidelity in randomized clinical trials; support community or interdisciplinary research partnerships, manage the conduct of experimental tests and procedures; develop new research methodologies and data collection protocols. The faculty at this rank will work independently and/or with minimal supervision, and may be assigned to supervise and train research staff, support staff and students.

A faculty member at the rank of senior research associate I will typically have four or more years of progressively responsible research or evaluation experience. Promotion to the rank of senior research associate I requires that the faculty member demonstrate the ability to assist in writing grant proposals and scholarly or community publications; and take a lead role in developing qualitative and quantitative methodologies; in establishing and fostering community or interdisciplinary research partnerships, in designing and overseeing the delivery of intervention protocols to fidelity, and in developing data collection protocols and conducting experimental tests. The faculty at this rank will work independently and/or with minimal supervision and may be assigned to supervise research staff, support staff and graduate students.

A faculty member at the rank of senior research associate II will typically have six or more years of progressively responsible research evaluation experience. Promotion to the rank of senior research associate II requires that the faculty member demonstrate the ability to independently design, develop, execute one or more studies; take a major role in writing grant proposals, organizing community or interdisciplinary research partnerships and acquisition of support; author or co-author publications for scholarly or community audiences; and take a lead role in development of new qualitative or quantitative methodologies and data collection protocols. The faculty at this rank will work independently and typically supervise research staff, support staff and graduate students.

Promotion Guidelines for Non-Professorial Research Ranks

Departmental Authority and Responsibility
Each academic unit (department, school or college) will be required to develop and submit criteria and procedures for promotion within non professorial research ranks that are specific to the research activities of that unit. These guidelines will fulfill the minimum standards of the University guidelines, which have priority. These criteria will be reviewed and approved by the Dean and Provost.

Procedures for Promotion Evaluation
The request for promotion can be initiated by the supervisor/principal investigator or the individual himself/herself.

The faculty should be in-rank at PSU at least one year before requesting promotion to the next rank.

Changing rank signals a qualitative difference in what the individual will do on the job; specifically there will be an increase in both the initiative required and level of responsibility. When responsibilities extend beyond the current job description, this may be reason to consider promotion. The reviewer should also assess evidence that the individual is prepared to perform the activities at the next higher rank.

All promotions should be accompanied by an increase in salary as set in the collective bargaining agreement.

Request for promotions may be forwarded to the Provost typically twice yearly, although exception can be made if funding cycles make it necessary. This is consistent with the fluidity of research funding and the fact that research project staffing needs do not follow a nine-month academic
schedule. Academic units may choose to set their own time lines for request for promotion to be submitted to the Dean.

Each academic unit will articulate a mechanism for allowing the individual to appeal, should the request for promotion be denied.

**Responsibility of the Reviewer (Supervisor) and the Review Group**

At a minimum, the group that conducts the annual performance review according to Article 18 of the PSU-AAUP Collective Bargaining Agreement will also receive and review the request for promotion, although the academic unit may wish to constitute a different group.

Requests for promotion will go through the same decision making process as annual reviews. The annual review/promotion committee makes a recommendation to the department chair (research center or institute director, school director). This individual then makes a recommendation to the Dean.

**Responsibility of the Dean**

The Dean forwards all requests with his/her recommendations to the Provost for his/her review and final decision.

**Tenure-Track and Tenured Faculty**

The task force endorses the addition of distinguished professor to the ranks available to tenure-track and tenured faculty. The addition of this rank augments the existing post-tenure review process by allowing for the recognition and reward of high level scholarly accomplishment. Promotion to this rank should follow the process and timeline found in the “Policies and Procedures for the Evaluation of Faculty for Promotion, Tenure, and Merit Increases.”

**Distinguished Professor:** A faculty member will normally not be considered for promotion to Distinguished Professor until the fourth year in rank as a Professor. Exceptions will be made only in extraordinary cases. Consideration for the promotion immediately upon eligibility should occur only on the basis of particularly extraordinary achievement. Length of time in rank is not a sufficient reason for promotion.

Promotion to the rank of Distinguished Professor requires the individual to have made extraordinary contributions to knowledge as a result of the person’s scholarship, whether demonstrated through the scholarship of research, teaching, or community outreach. The candidate’s scholarly portfolio should document a record of very distinguished accomplishments using the criteria for quality and significance of scholarship (see II. D). Effectiveness in teaching, research, or community outreach must meet an acceptable standard when it is part of a faculty member’s responsibilities. Finally, promotion to the rank of distinguished professor requires the faculty member to have provided leadership or significant contributions to the governance and professionally-related services activities of the university.
I. Overview

In December of 2011, a Task Force was formed at PSU combining members of the Associate and Assistant Deans Committee and Faculty Senate (three of the Senate members were recruited from the Education Policy Committee). Our task was to interpret the new Oregon Administrative Rule (OAR) 580-020-0005 (Appendix A), which introduced several new series of faculty ranks, designated as “non-tenure-track” (NTT). Among other assignments, we were asked to determine which of the new ranks would be appropriate to use at PSU and how these ranks would be implemented. (The complete Task Force charge is included here as Appendix B).

While apparently straightforward, the Task Force’s charge was in fact impossible to carry out effectively. This was because the Task Force received no explanation for why the changes to OAR 580-020-0005 were deemed necessary, nor how these changes underwrote a coherent system of faculty employment that benefits higher education in general and OUS in particular. There were information gaps in the OAR that pointed to deeper problems in policy development that the Task Force was not in a position to resolve. We believe that one reason why the new OAR contained these gaps in information and logic was because there was insufficient input from the PSU faculty in the process of rewriting this statewide rule.

A minority of the Task Force authored alternative language on certain policy issues that was included in the Final Report of the New Academic Ranks Task Force submitted to the Provost and Senate Steering Committee on June 15, 2012 (Appendix C). This minority has since taken the opportunity to clarify its overall position on the issue of faculty ranks by composing the following Minority Report. One of the members of the minority, while in full support of the conclusions stated below, has chosen to remain anonymous on this report for reasons of job security.

Collectively we, a substantial minority of the Task Force (and a majority of the faculty – as opposed to administrators – in that body), make the following recommendations:

- Over the course of this academic year (or longer, if necessary), PSU should develop a coherent philosophy and set of policies regarding faculty employment that addresses the profound changes in the makeup of the faculty workforce that have occurred over the last several decades. PSU needs to develop these policies without taking into account whether they comply with the revised OAR 580-020-0005 as written. Once PSU has fully developed its philosophy and policies regarding faculty employment, the university should assess whether these can be implemented under OAR 580-020-0005 as written, or whether the University must spearhead a statewide effort to revisit and further revise the OAR.
• Until PSU has had an opportunity to review its philosophy and policies regarding faculty employment, the university should not implement the new faculty ranks described in OAR 580-020-0005 (with one exception, explained below.)

• If PSU, counter to our recommendations above, does decide to implement the new faculty ranks immediately, then we refer OAA and Faculty Senate to our minority opinions regarding such implementation, which are included in the Final Report of the New Academic Ranks Task Force (Appendix C).

In what follows, we explain these recommendations in further detail.

II. Logical Problems with the Revised OAR 580-020-0005

The PSU Task Force on New Faculty Ranks inherited two fundamental problems when it was asked to develop a plan for implementation of OAR 580-020-0005. First, the Rule does not explain how the qualifications or job duties for NTT appointments differ from tenure-track appointments. Thus, there is no overarching logic regarding faculty staffing evident in the revised OAR. Second, the rule creates non-tenure-track positions that are equivalent to positions that have up until now been understood as tenure-track. Below we explain each of these problems more fully.

A. No explanation of job duties/qualifications for tenure-track faculty

OAR 580-020-0005 introduces and/or redefines several faculty ranks designated as “non-tenure track,” outlining the job qualifications and duties for each. At the end of this list is the description for “Tenure-Track and Tenured Faculty,” which reads in full:

A faculty position assigned to an academic department wherein the incumbent holds academic rank and is eligible for tenure or tenured. Ranks in this category in ascending order are assistant professor, associate professor, and professor. The rank of distinguished professor may be bestowed based on criteria established by a university.

Because the OAR describes the job duties and qualifications for every non-tenure track rank but does not do so for tenure-track appointments, this omission raises the question of what role tenure-track faculty have or should have in the professoriate. The Task Force wondered, for example, if the new OAR envisioned tenure-track faculty as uniquely combining research, teaching, and service, whereas the non-tenure track faculty (NTTF) appointments listed in the OAR centered exclusively or primarily on either research or teaching. Another mystery was whether the distinction between NTTF and TTF should be based on how these faculty were hired: should “Research Professors” be NTTF because many of them may be hired through limited-duration grants? Are Clinical Professors/Professors of Practice NTTF because they are hired for their professional experience rather than scholarly credentials? These were questions the Task Force was unable to answer. Since there is no discernable logic underlying the new OAR and its distinction between tenure-related and non-tenurable faculty, in attempting to interpret and then implement the OAR, the PSU Task force grappled with a profound ambiguity
regarding the purpose and meaning of tenure and the value of tenure-related faculty to the educational and research mission of the university.

B. Job duties and qualifications of some Non-Tenure Track positions resemble those common to most tenure-track faculty

Descriptions of three of the new NTTF ranks under OAR 580-020-0005 – Lecturer, Research Faculty, and Professor of Practice – could equally apply to tenure-track faculty.

Lecturer Ranks

Under the revised OAR, the Lecturer rank is defined as follows:

A NTTF (Non-Tenure Track Faculty) appointment for individuals with unclassified instructional appointments whose functions may include significant responsibilities for graduate-level instruction. The appointment may also include upper division undergraduate instruction. Such appointments must include significant mentoring and advising responsibilities and a significant measure of responsibility for graduate education. Appointments in the lecturer series will always require the terminal degree (or its professional equivalent for certain adjunct appointments), but the holding of a terminal degree in itself does not constitute an argument for appointment in the lecturer series.

In its requirements for a terminal degree and “significant ... responsibility for graduate education,” the Lecturer rank is difficult to distinguish from a traditional tenure-track professor position. The job duties and qualifications sound identical to those of most tenure-track professors currently teaching at Portland State. There is no explanation in the OAR for why the Lecturer position, in contrast, should not provide faculty access to tenure.

Research Faculty Ranks

OAR 580-020-0005 introduces a new rank entitled “Research Faculty” and defines it as follows:

A NTTF (Non-Tenure Track Faculty) appointment for individuals who are primarily engaged in research at a level normally appropriate for a professorial rank. Ranks in this category are research assistant professor, research associate professor, and research professor.

Although the new Research Faculty Ranks are defined as encompassing duties “normally appropriate for a professorial rank,” there is no explanation for why these new ranks, unlike traditional professorial ranks, must be designated as “Non-Tenure Track.”

Clinical Professor/Professor of Practices Ranks

The Clinical Professor/Professor of Practices Series is defined in the OAR as follows:

A NTTF (Non-Tenure Track Faculty) appointment for individuals with primary duties in the area of clinical instruction or professionally related community education/service. Clinical faculty or professor of practice members are licensed or
certified professionals, or individuals in professional fields. The major responsibility involves the education of students/learners in academic and clinical settings, supervising clinical experiences, and/or engaging in professionally related community service. Scholarly activity may or may not be required. Ranks in this category in ascending order are assistant clinical professor, associate clinical professor, and clinical professor; or assistant professor of practice, associate professor of practice, and professor of practice.

Many current tenure-track faculty at PSU, such as those in the psychology, education, business, and arts fields, would easily fall into the category of clinical faculty or professor of practice were they non-tenure track. In particular, the specifications that the Clinical Professor/Professor of Practices positions involve delivering education “in academic ... settings” and may require “scholarly activity” beg the question of how these ranks would differ from tenure-track positions and why these positions would not merit the same level of job security normally available to other professors engaged in commensurate scholarly and pedagogical pursuits.

III. Rethinking Tenure

Intentional or not, the upshot of the revisions to OAR 580-020-0005 is a large-scale undermining of the tenure system, and with it a questioning of the rationale behind tenure itself. Underpinning the tenure system is the premise that faculty members can only achieve true academic freedom if they are assured a high level of job security. Tenure prevents or greatly impedes the termination of faculty members who take positions in the classroom, in their research communities, and in university governance that are unpopular or call for changes that threaten (or are perceived to threaten) existing pieties or entrenched institutions. The tenure system also incorporates a rigorous process of peer review that embeds faculty members within self-governing and self-regulating research communities, providing a bulwark against immediate or local economic and political pressures to restrict or overly promote certain fields of inquiry. The peer review process integral to the tenure system encourages faculty to pursue risky and forward-looking ideas, which is the essence of scholarship. The newly revised OAR 580-020-0005, by dividing the professoriate between tenure-track and non-tenure track faculty while providing no means for distinguishing between such positions based on qualifications, accomplishments, or job duties, implicitly questions the efficacy or purpose of tenure without providing a clear justification for why compromising this longstanding pillar of American academic practice is necessary or desirable.

IV. Background

It is our understanding that the impetus to change OAR 580-020-0005 came from the University of Oregon, which decided to revise its employment policies for faculty in order to address the university’s increased hiring of contingent faculty, or faculty not eligible for tenure. That effort, which involved extensive input and planning by the UO Faculty Senate as well as administrators, resulted in the University of Oregon’s November, 2007

Although some of the definitions of faculty ranks (Instructor; Lecturer; Research Assistant; Research Associate) in the revised OAR 580-020-0005 are clearly based on the language of the earlier UO Document regarding NTTF, added material in the OAR that is not found in the UO document transforms the meaning of the UO’s new ranking system by creating NTTF positions close or identical to positions traditionally considered to be tenure-track. Two such positions, Research Faculty and Clinical Professor/Professor of Practice (discussed above), are unique to the OAR and are not found in the UO’s Document on NTTF. The rank that most closely resembles typical tenure-track appointments – that of Lecturer – does appear in both the UO Document and the revised OAR. Yet, although the definition of Lecturer in the UO Document differs by only one word from the definition found in OAR 580-020-0005 (included above), in context the position means very different things in each document. After describing the Lecturer ranks, the UO Document on NTTF goes on to explain:

It is expected that relatively few appointments will be made at the rank of lecturer since such appointments depend on engagement in graduate education and most appointments directed at graduate education should include research expectations and the development of a concomitant professorial appointment. Still, it is possible to describe some instances in which an appointment as lecturer will be appropriate. One, the rank of lecturer is appropriate for an appointment of the director of a clinical program, who will supervise graduate students in clinical practice, teach certain graduate level courses in the clinical area, provide leadership and coordination with the external professional setting, and may, if approved separately by the Graduate School, participate in the supervision of graduate student exams, theses, and dissertations. Two, the rank of lecturer is appropriate for an appointment of a specialist in some area where there is a substantial set of courses needed for graduate training but the courses do not constitute an area of departmental research focus.

This explanation, which ensures that faculty who teach at the graduate level are qualified to do so because their job duties and expectations provide for their ongoing and active engagement in an international research community, is not included in OAR 580-020-0005. Moreover, the specific type of position that the UO document envisioned for Lecturers – supervisors in clinical settings and experts in fields that do not require scholarly research – are now covered in the OAR rank of Clinical Professor or Professor of Practice. In this context, the Lecturer rank described in the revised OAR 580-020-0005 reads as a description of what is currently expected of most tenure-track professors in terms of qualifications and teaching responsibilities, rather than, as originally intended, a rare title reserved to meet a specific set of institutional needs.

The members of the PSU New Faculty Ranks Task Force were not privy to the deliberative processes and procedures that transformed the position descriptions in the UO Document on NTTF into the language currently found in OAR 580-020-0005. We were aware,
however, that in the spring of 2011 PSU-AAUP was given an opportunity to evaluate a set of proposed revisions to the OAR similar to those that were eventually incorporated into the final, ratified version of the Rule. In letters to PSU Provost Roy Koch and Marcia Stewart (Rules Coordinator and Hearing Officer for OUS), PSU-AAUP expressed reservations regarding a new Librarian series (also absent from the original OU Document on NTTF), paths to promotion for Senior Instructors, the possibility of decreases in compensation or demotion if faculty were forced to shift titles and ranks, and the redesign of the Lecturer rank. In regards to the Lecturer issue, Phil Lesch, Executive Director of PSU-AAUP, expressed the union’s concern that “this new rank not be used to erode tenure or salaries among tenure line faculty.” In her response to Lesch of December 5, 2011, OUS Vice Chancellor for Academic Strategies Sona Andrews did not address the union’s concern that the Lecturer rank might represent a threat to the tenure system. (This correspondence is attached as Appendices E, F, and G.)

By that point, however, Provost Koch had successfully negotiated one change to the OAR’s description of the Lecturer rank. Whereas the original definition of “Lecturer,” as found in the UO Document on NTTF and later in the original draft of OAR 580-020-0005, stipulated that this rank be used for “unclassified instructional appointments whose functions include significant responsibilities for graduate level instruction,” Koch’s revision instead provided that a lecturer’s functions “may include responsibilities for graduate level instruction.” The Provost explained to the members of the New Faculty Ranks Task Force that he had pushed for this change because he wanted the Lecturer series to become a promotion pathway for fixed-term Instructors, most of whom are primarily responsible for undergraduate rather than graduate education. Currently at PSU, Senior Instructors who possess the terminal degree in their fields may be promoted to the ranks of Assistant, Associate, and Full Professor. The revised OAR, however, reserves these professorial titles for tenure-track faculty only. Koch wished to use the Lecturer series as a promotion pathway for fixed-term faculty to replace the now off-limits professor series. (Koch also negotiated changes to the ranks of Research Assistant and Research Associate that are not pertinent to our current discussion.)

Although Koch may have pushed for this revision to the Lecturer rank in response to PSU-AAUP’s concerns, it is our contention that by engaging primarily with PSU-AAUP and not with Faculty Senate, the Provost and OAA did not adequately consult with PSU faculty regarding the crucial issue of faculty ranks. We believe that this is because the PSU Administration treated the proposed changes to the OAR on faculty ranks as an employment issue rather than as an issue that also affects academic quality and integrity—an issue, indeed, that goes to the heart of faculty governance itself. Because of this oversight, we maintain, the PSU administration has allowed the State to approve a new rule with the power to undermine, in fundamental ways, the academic mission of this institution.

V. Inadequate Consultation with PSU Faculty Senate
It appears that PSU Faculty Senate was first made aware of the proposed revisions to OAR 580-020-0005 at its April 4, 2011 session. The Minutes summarize the Provost’s Report to Senate:

KOCH reported on activity at the Board level having to do with definitions of faculty titles, noting that this is an item subject to the Oregon Administrative Rules. He continued that work done on this campus by AAUP and the administration in the last few years is informing his discussions with the provosts. A few additional faculty ranks have been proposed to underpin career advancement in the non-tenure related ranks, and the proposal includes renaming certain positions.

It seems that consultation between OAA and PSU-AAUP on this issue had been going on for some time before the Provost brought the matter to the attention of Faculty Senate. In a memo to Koch dated April 8, 2011, four days after he made the above announcement in Senate, then-PSU-AAUP President Jonathan Uto summarized the union’s opinion regarding the proposed changes to the ranks. According to Uto, the Executive Council of PSU-AAUP had “empaneled a task force [entitled the “Fixed Term Task Force”] of fixed term faculty, research faculty, library faculty, and tenured faculty to review the proposal and provide suggestions,” which Uto summarized in the April 8 memo. In other words, PSU-AAUP had been given substantial time to deliberate regarding the proposed changes to OAR-580-020-0005 and to share its conclusions with the Provost.

The next mention of the issue of faculty ranks in the Faculty Senate is in the minutes of the subsequent May 2, 2011 meeting, in which Koch “noted that the proposed changes to the OAR regarding academic ranks will be much as the original, and is researching how faculty can comment before it comes before the board for approval.” At the final senate session of the academic year, on June 6, 2011, Koch reported that “The revised faculty ranks document has been forwarded to the board and hearings will occur in late summer, or fall if possible.”

These Senate minutes show that Koch never solicited any formal process of evaluation and response from PSU Faculty Senate comparable to the feedback he solicited and received from PSU-AAUP. Senate did not, like PSU-AAUP, have a chance to form a Task Force and engage in a deep review of the proposed changes to the OAR, and so any additional faculty input into the revisions to the Rule could only take place during the statewide public commentary period.

At the first session of Faculty Senate for the academic year 2011–12, which took place on October 3, 2011, Provost Koch informed the Senate that “The new Faculty Ranks document has been approved by the OUS board and is scheduled for public comment on 25 October, 10:30 a.m. at U of Oregon. Written testimony can be submitted until 28 October to marcia_stuart@ous.edu.” Not only did members of Faculty Senate lack the opportunity to engage meaningfully in the process of revising OAR 580-020-0005 before it was already approved by OUS, but even after this approval they had only three weeks to develop a comprehensive response to the proposed changes to present to the Board. One of the signatories to this Minority Report, Amy Greenstadt, wrote a letter to the Board raising
some of the issues regarding tenure discussed above and received a polite reply from Marcia Stuart, but it was clear that the Board would not really consider changing the substance of its decision based on responses from individual faculty members delivered after the new OAR had already been approved. (These letters can be made available upon request.)

Although it was certainly appropriate for the Provost and OAA to solicit input from PSU-AAUP regarding the proposed changes to OAR 580-020-0005, it was essential that PSU Faculty Senate also have ample time and resources to participate meaningfully in deliberations regarding major changes to the structure and nature of faculty employment at PSU. The functions of PSU-AAUP and Faculty Senate are fundamentally different. Although the American Association of University Professors (AAUP), as a professional organization, has been a leader for over a century in framing national issues regarding the quality of higher education, faculty governance, and academic freedom, the PSU chapter, PSU-AAUP, as a collective bargaining unit, is primarily responsible for representing the perspective of the faculty in their role as employees of the university. In contrast, Faculty Senate, as an agency of governance at PSU, represents the perspective of the faculty in their role as guardians of and agents for academic standards at Portland State. The Senate derives this authority from the Constitution of Portland State University, which provides that

The Faculty shall have power to act upon matters of educational policy, to enact such rules and regulations as it may deem desirable to promote or enforce such policies, and to decide upon curricula and new courses of study.

In sum, while PSU-AAUP represents the interests of individual faculty as employees, Faculty Senate represents the interests of the university as an institution of higher education. Indeed, the same faculty member might argue for very different positions, depending on whether she was consulted as a member of PSU-AAUP or as a member of Senate. As a union member she might argue for more competitive wages for PSU faculty, while as a Senate member she might argue for balancing the costs of faculty wages against the community’s interest in keeping student tuition affordable for students. As members of the union, we are asked to represent ourselves and the class of employees of which we are a part. As members of Senate, and as agents of governance at PSU, we are asked to represent our disciplines, our students, and the needs of the larger community in order to provide the highest quality of education and research for the region.

The feedback PSU-AAUP provided to the Provost and later to the OUS Board consisted of concerns related to wages and promotion; even the reservations the union expressed regarding the Lecturer rank as a potential threat to tenure were couched in terms of demotion and decrease in salaries rather than a loss of academic freedom and/or quality of instruction. While we infer no ill intentions on the part of OAA in its decision to consult with PSU-AAUP and not with Faculty Senate on the issue of new faculty ranks, we maintain that because of this omission the enormous impact the revised OAR could have on the quality of education and research at PSU went unaddressed.
The PSU New Faculty Ranks Task Force therefore became the first governance body at PSU to confront these larger issues regarding the effect of the revised OAR 580-020-0005 on academic quality at our institution. The Task Force was unequipped to deal with these issues, however, because its charge was only to find a strategy for implementing the OAR, not to evaluate the Rule itself or explore its ramifications. In the remainder of this Minority Report, we venture beyond this narrow charge to (1) explain, in detail, how PSU can delay implementation of the OAR until it can carry out a thorough review of faculty employment at this university involving all arms of university governance, and (2) outline the types of issues we believe must be addressed by the faculty and administration at PSU before any implementation of the OAR can take place. However, because we recognize that the University may decide not to act in accordance with our recommendations, in this Minority Report we also explain the reasoning behind the implementation plan offered in the Final Report of the New Academic Ranks Taskforce (Appendix C), which includes sections that distinguish our minority opinion from that of the majority.

VI. Recommendation to Delay Implementation of OAR 580-020-0005

As stated above, we recommend that PSU delay implementation of the OAR until the University has had an opportunity to review thoroughly its philosophy and policies regarding faculty employment. Here we will address the practicalities of delaying implementation.

A. Grandfather Ranks and Paths to Promotion for All Current Fixed-Term Faculty

The revised OAR 580-020-0005 poses a challenge to PSU’s current employment practices because it stipulates that the ranks of Assistant, Associate, and Full Professor be limited to tenure-track faculty only. However, at PSU many non-tenure-track faculty currently hold these ranks, and other faculty currently holding the rank of Senior Instructor have the expectation that with the proper credentials and experience they can be promoted into the professorial ranks, though not on the tenure track.

The PSU New Faculty Ranks Task Force addressed this discrepancy between PSU practices and the revised OAR by deciding that all titles and pathways for promotion available to our current non-tenure track faculty should be grandfathered in. The Task Force based this recommendation in a memo sent by the OUS Board to PSU-AAUP in response to the union’s concern that under the new Rule fixed-term faculty would not be able to keep their current ranks or expectations for promotion. In her response of December 5, 2011 (Appendix G), Sona Andrews (then OUS Vice Chancellor for Academic Strategies) states that “institutions can make the decision to grandfather titles to persons currently holding a title or rank” and “We do not see the OAR creating hurdles to promotion.” Based on these statements, the Task Force on New Faculty Ranks decided that fixed term faculty already employed at PSU should have the option to maintain their current ranks along with the expectation that they can be promoted into the professorial ranks, since it was with this expectation that they have accepted and remained in their positions at PSU.

B. Use the Existing Titles of “Instructor” and “Visiting Professor” for New Faculty Hired without Expectations of Tenure.
Even if the University grandfathers the ranks and promotion pathways for current NTTF, this leaves the question of what should happen to faculty hired now, after the revised Rule 580-020-0005 has gone into effect. We believe that the current Instructor and Professor ranks available at PSU, modified as needed with the auxiliary titles “Visiting” and “Adjunct,” are adequate for dealing with new faculty hiring in the short term, until the university has a chance to fully review the ramifications of the new faculty ranking system outlined in OAR 580-020-0005. In our work on the Task Force we were able to negotiate a definition of the auxiliary title of “Visiting” as follows:

Visiting faculty are brought in for their unique expertise, and their employment is an opportunity for them to contribute to the University. These limited-duration appointments offered to visiting faculty shall not exceed a total of two years.

We of the minority believe that this two-year window allows enough time for PSU to determine how it wishes to classify new faculty who are hired without the expectation of tenure. We recommend, therefore, that new faculty be hired either as Instructors or as Visiting Assistant/Associate/Full Professors.

C. Adopt the Added Rank of Senior Instructor II.

OAR 580-020-0005 adds a third rung to the Instructor rank: Senior Instructor II. We recommend implementing this rank because we believe that it is not subject to the philosophical and practical problems inherent in the OAR’s other new ranks, and that it will be advantageous for our Senior Instructors seeking promotion. The Final Report of the Task Force describes how current Senior Instructors could be reclassified using the new OAR.

D. Consider Adopting the Phrase “NTT” to replace “Fixed-Term.”

Finally, we suggest that the University explore the possibility of replacing the phrase “fixed-term” with that of “NTT (Non-Tenure Track).” The revised OAR 580-020-0005 introduces the phrase “NTTF” into the Oregon Administrative Rules for the first time. Previous rules had only identified three kinds of appointments: fixed-term, tenure-related, and extendable contract (this last type of appointment was only available to faculty at Southern Oregon State College). The rule that spells out these kinds of appointments, OAR 580-021-0100, remains unchanged at this time. Therefore, it is unclear what relationship exists between the “kinds of appointment” defined in this OAR and the distinction between “NTF” and “TTF” found in OAR 580-020-0005.

What is clear, however, is that the appointments labeled “fixed-term” in OAR 580-021-0100 were understood as temporary positions that would not carry the long-term employment expectations we associate with paths to promotion through a series of ranks. According to OAR 580-021-0100,

(A) Fixed-term appointments are appointments for a specified period of time, as set forth in the notice of appointment. The faculty member thus appointed is not on the tenure track and the timely notice provisions do not apply;

(B) Fixed-term appointments may be made and are renewable at the discretion of the president;
(C) Fixed-term appointments are designed for use at the discretion of the president in such cases as, but not limited to, appointments of visiting faculty (or similar category); academic staff members whose support wholly or principally comes from gift, grant or contract funds, the cessation of which funding would eliminate the budget base for the position in question; part-time faculty; administrative staff with faculty rank; and faculty appointments during an initial probationary period where an institutional policy has been adopted or negotiated that establishes such probationary period. Fixed-term appointments offered to visiting faculty or similar category shall not exceed a total of seven years.

A large proportion of the faculty at PSU currently labeled “fixed-term” are not the kind of temporary faculty envisioned in the description above but are, instead, long-term employees (some have been here for over 30 years). The phrase “NTTF” more closely reflects these faculty members’ actual status, and we suggest that the University consider changing the language in its official documents accordingly (e.g., a current “Fixed-term Assistant Professor” would become a “NTT Assistant Professor”).

We wish to emphasize, however, that we are recommending “NTT” only to replace “fixed-term” as a descriptive term applied to specific faculty members, not to entire faculty ranks. We do not agree with the practice of designating certain faculty ranks as NTT (as is done in the revised OAR 580–020–0005). In other words, we are suggesting that, just as now a given faculty member could be a “fixed-term Senior Instructor” or “tenured Senior Instructor,” a “fixed-term Assistant Professor” or a “tenure track Assistant Professor,” those currently designated as “fixed term” could instead be referred to as “NTT.” For reasons discussed more fully below, we believe that it is potentially dangerous to associate certain types of appointments carrying specific job duties (such as Clinical Professors) as by definition NTT.

At this point we also wish to point out that while most – or perhaps all – faculty in the Instructor ranks at PSU are fixed-term, OAR 580–021–0105 and our own Policies and Procedures provide for tenure-track Instructor appointments. The revised OAR 580–020–0005 appears to eliminate this possibility by designating the Instructor ranks as “NTT,” although OAR 580–021–0105, which reads “Indefinite tenure may be awarded to faculty employed on appointments of .50 FTE or more as senior instructor, assistant professor, associate professor or professor, if otherwise qualified in accordance with institutional criteria and the Board’s Administrative Rules,” remains on the books.

We also do not recommend that “NTT” be used officially to describe Visiting and Part-time/adjunct faculty, who are by definition temporary employees. PSU’s failure to distinguish temporary faculty from long-term NTT faculty has been a growing problem that affects the quality of teaching and shared governance at this university. A firm distinction must be drawn between faculty who are truly hired for the short term, and those who are hired full-time with expectations for promotion. “NTT” should only describe this latter category of faculty, and should be used as a way to clarify how their employment status differs from TTF.
As stated above, we recommend that PSU implement none of the other ranks described in the revised OAR until Faculty Senate has had the opportunity to engage meaningfully in a process of research and deliberation that results in an official university document stating PSU’s philosophy and policies regarding faculty employment. In the next section of this Minority Report we suggest issues that the University may want to consider as it develops this policy document.

**VII. Issues to Consider When Assessing and Articulating PSU’s Philosophy and Policies Regarding Faculty Employment**

**A. What is the Relationship, if any, Between Job Security and the Duties and Qualifications of Specific Faculty Positions?**

In the last several decades at PSU, as at many other institutions of higher learning, faculty devoted primarily or exclusively to instruction have been hired without the opportunity for tenure, while faculty hired to conduct research and develop a publication record are typically hired on the tenure track. Yet this university has never articulated a rationale to explain this practice. There seems to be a sense that tenure is a “reward” for maintaining an active publication agenda. However, tenure was originally conceived as a necessary component of academic freedom. It is unclear why faculty whose job expectations do not include an extensive research agenda do not merit access to the academic freedom that comes with tenure.

OAR 580-020-0005 institutionalizes this practice by creating or redefining several ranks devoted primarily or exclusively to instruction as “Non-Tenure Track.” The OAR also identifies faculty who are hired to engage primarily or exclusively in research as “NTTF.” Again, we would ask why such faculty would not benefit from the academic freedom guaranteed through tenure. Do these faculty lack access to tenure because many of them are hired on limited-duration grants? If so, should the distinction between TTF and NTTF be based on whether a faculty member is hired using temporary money (which is already stipulated in the definition of “fixed-term” in OAR 580-021-0100), rather than on the nature of their job duties? Or is academic freedom more important in the classroom than it is in research communities (in which case, we return to the question of why faculty whose duties center on instruction are not considered by the OAR to be eligible for tenure)?

**B. What Role does Job Security Play in Governance, and What Level of Job Security is Necessary for Effective Governance?**

When the University's governance bodies such as Faculty Senate were established, most faculty members had tenure or were eligible for tenure. This is no longer the case. To what extent, if any, does effective governance depend on the expectation that faculty members have job security, and to what extent should job security be equated with tenure?

Because at American universities the system of faculty governance takes place within a nation founded on democratic, representative government, it is easy to harbor the misconception that faculty governance is essentially representative in nature. However,
while within a political democracy each citizen is entitled to vote in accordance with her own self-interest, in a university, governance is designed to represent the broader interests of the academic enterprise, including the integrity and quality of the teaching and scholarship that take place under the auspices of the university. As agents of governance, faculty are called upon to put aside their personal interests and to instead further the overarching mission of the institution and profession of which they are a part. One traditional purpose of tenure has been to ensure that faculty have the freedom to engage in governance at this more abstract level by remaining disinterested in the material outcomes of their decisions. The same principle underlies the appointment of U.S. Supreme Court justices – unlike members of Congress, these government officials are appointed for life to enhance their capacity to remain unswayed by special interests. The fact that, as a society, we have decided that university professors must have access to the same level of disinterestedness accorded to Supreme Court judges underscores the high value we have placed on academic freedom as integral to the dissemination and furtherance of knowledge, unhampered by the contingencies of markets or political regimes.

Now that universities such as our own increasingly rely on contingent labor we must ask, first, whether the original thinking underlying the system of tenure is in fact correct. Can faculty governance continue to operate effectively if its participants do not have access to tenure? Can it operate effectively when those participants are hired on “fixed-term” (year-to-year, 3-year, 5-year) contracts? Would longer, rolling, or open-ended contracts allow faculty sufficient academic freedom to participate effectively in governance? Is there a difference between governance/service obligations at the departmental level (when decisions may lead to direct conflicts of interest for NTT faculty members who depend on the maintenance of a certain budget or curriculum for their livelihoods) and those at the university level?

We recommend that PSU consider these questions when determining the types of job duties, especially service responsibilities, it will assign to NTTF.

C. Will Different Types of Faculty Positions Require Different Hiring Practices and Procedures?

As members of the PSU New Faculty Ranks Task Force, we argued that hiring procedures needed to be an integral part of our deliberations. However, a majority of the committee did not agree, citing the official Charge of the Task Force, which does not explicitly include hiring procedures in its list of tasks (but does clearly indicate that said list should not be taken as exhaustive).

We believe that hiring practices were integral to our charge because, in the past, PSU often used significantly less strenuous procedures for hiring NTTF than those it used for for TTF. Because many NTTF at PSU, as “fixed-term faculty,” were originally hired as temporary employees, the decision to employ them was often made only by a department chair (with appropriate approval by a Dean) without review by a departmental committee, and without the job having been duly and widely advertised. Many of these faculty, however, stayed on at PSU long-term and became regular members of departments. These faculty
may face disadvantages. They may not be embraced by the departmental culture that they enter, since their colleagues did not have a voice in their hiring. And they may not be perceived as the best candidates for the job they occupy because they were not hired in a competitive search. In both cases, their condition of hiring undermines their real and perceived job security and can have a poisonous effect on collegiality.

Integral to academic freedom is the process of peer review that ensures that all faculty are members of a vibrant research community. Faculty who are hired by one individual, even if only for the short-term, become disproportionately dependent on a particular set of institutional circumstances rather than the larger supportive system of their research communities. When this university engages in fast and expedient hiring practices, this limits the academic freedom for the faculty members hired and can create or exacerbate power struggles within departments (e.g., a given chair or former chair may have a group of faculty who are pressured to agree with him/her out of a sense of loyalty or fear of reprisal). In addition, the process of peer review – in hiring, in developing a publication record, and in progressing through the ranks – upholds academic freedom by ensuring that the research faculty engage in is relevant and forward-looking.

Since the revised OAR 580-020-0005 traces out promotion pathways for NTTF that assume their long-term employment, we believe that the passage of this Rule presents a perfect opportunity for PSU to articulate a set of rigorous hiring practices for NTTF. Already last year, the office of Human Resources instituted new procedures for Fast Track hiring that make the procedures for hiring of NTTF more commensurate with those for TTF. Because of this change in policy, the members of the Task Force were able to agree on the following language regarding hiring:

Hiring into all ranks above 0.5 FTE [should] follow, at a minimum, requirements specified under the Collective Bargaining Agreement and Human Resource’s new Fast Track process.

While this was a satisfactory compromise, we recommend that the members of Faculty Senate review the fast-track policy to decide if it is adequate to resolve ongoing problems of equity between NTTF and TTF. We also recommend that PSU review whether hiring practices for temporary and part-time (Visiting and Adjunct) faculty need to be more clearly defined as involving departmental committees and wide advertisement.

D. How Should Adjunct Faculty Fit Into the Landscape of Faculty at PSU?

The PSU New Faculty Ranks Task Force decided that the issue of ranks for adjunct faculty was outside its purview. However, we believe that the role of adjuncts must be considered in any thorough discussion of faculty employment at this University. We initially proposed that the Task Force recommend the following language regarding adjuncts:

Adjunct Faculty
Non-tenure-track faculty who are hired part-time (at less than .5 FTE) will have their titles prefixed with “Adjunct” (e.g., “Adjunct Senior Instructor I”). Faculty may be hired as adjunct instructors for the following reasons:

- The position involves instruction in a curricular area where student demand is too low to merit a full-time course load.
- The position temporarily replaces a faculty member on partial leave.
- The position requires ongoing expertise that must be acquired through professional activities outside of instruction.
- Faculty originally hired into a full-time position have chosen to reduce their hours to part-time.

We believe that the above language represents the original purposes of adjunct hiring and also best practices. We recognize that in recent years PSU (like many other universities) has expanded its use of adjuncts due to economic exigencies. While these economic constraints may now seem insurmountable, we wish to remind Faculty Senate and OAA that, as a preponderance of research demonstrates, over-reliance on part-time instructors damages students’ chances of success in college. (See Appendix H for a list of published studies demonstrating this fact.) The State now explicitly adjusts its level of funding to PSU based on statistics of student success, and such evidence also drives fundraising efforts. We therefore recommend that discussions of adjunct hiring weigh these considerations against the immediate economic savings gained by employing faculty part-time. While the New Faculty Ranks Task Force chose not to include a statement on adjunct hiring in its Final Report, we submit our view here in the hope that it will inform further university discussions of faculty ranks.

E. Are there ways that the University Could Continue to Benefit from Financial and Organizational Flexibility without, or with less of, a Reliance on NTTF?

One common argument for hiring NTTF rather than TTF is that having a contingent workforce allows the university to respond more swiftly and effectively to changing circumstances. Student enrollment fluctuates; the needs of the larger society change, making certain curricular areas more relevant than others. In assessing its use of faculty employment, PSU may want to consider if there are ways of addressing the university’s need for flexibility without over-relying on contingent labor. OAR 580-21-0100, (the Rule on “Kinds of Appointments”), states that faculty may be hired for a fixed term rather than on the tenure track for “faculty appointments during an initial probationary period where an institutional policy has been adopted or negotiated that establishes such probationary period”; the Rule also provides that “Fixed-term appointments offered to visiting faculty or similar category shall not exceed a total of seven years.” Taken together these provisions outline a type of policy in which the university tests out certain curricular areas by creating NTTF positions for a specified duration of time, filled by visiting faculty on a two-year rotation, before converting the position to tenure-track. We recommend that PSU consider these types of solutions to the problem of flexibility (which are modeled at other, comparator universities) when assessing changes to the system of faculty ranks.
We believe that only after PSU has had a chance to fully explore the issues listed above and construct a coherent policy on faculty employment, should the University decide whether and how to implement the provisions of the revised OAR 580-020-0005. However, in the event that PSU decides to immediately use some or all of the new faculty ranks defined in the Rule, we wish to conclude this Minority Report by clarifying the statements we authored as a minority that appear in the Final Report of the New Academic Ranks Task Force.

VIII. Explanation of Minority Perspective Recorded in the Final Report of the PSU New Academic Ranks Task Force

In the Final Report of the New Academic Ranks Task Force, there are two places where our minority opinions appear alongside the majority opinion. Below we discuss each of these, as well as an inconsistency in the report that we did not have the time to address in our committee work.

A. Conflicts of Interest

In the Final Report of the New Academic Ranks Task Force, the last bulleted item under “Task Force Work” reads as follows:

- A minority of the Task Force also requested that the following proviso adhere to service and governance responsibilities for non-tenure track faculty:

  Non-tenure track faculty should not have service responsibilities that may involve conflict of interest (for example, these faculty should not be involved in curricular or budgetary decisions that have the potential to affect their job security).

The reasoning behind adding this proviso is as follows. Unlike tenure-track faculty, whose hiring represents the university's long-term commitment to a curricular area, NTTF depend for their job security on the university’s repeatedly renewing specific curricular investments. The pressure on these faculty to argue that the curriculum should include their particular area of expertise, irrespective of whether this is to the maximum benefit of students, the discipline, or the university, will at times be overwhelming. It is unfair to place faculty members in such a compromised position. It is also damaging to the processes of faculty governance.

NTTF whose positions can be eliminated in times of budgetary duress also have a direct stake in a department’s deliberations regarding budgetary priorities in a way that tenure-track faculty, whose salaries are built into the permanent budget, do not. While some of us may wish that everyone could argue for the importance and preservation of their jobs, the reality is that institutions need to make decisions regarding budgetary priorities, and that those decisions cannot always account for the needs and desires of individuals if they impede a higher good (such as, for example, maintaining scholarships for students). When NTTF are called upon to participate in budgetary decisions, this poisons the atmosphere of any department and severely hampers effective governance.
For these reasons we argued to include the above proviso, which discourages departments from assigning service duties to NTTF that are likely to involve conflicts of interest. We are not sure why a majority of the Task Force did not think that this proviso was necessary. We of the minority strongly believe that it is.

B. Job Duties of Instructors

We also disagreed with the majority of the Task Force regarding the language defining the rank of Instructor. Our minority opinion is registered in the Final Report of the New Academic Ranks Task Force, under the section that defines the “Qualifications and Duties” for the Instructor rank as follows:

A faculty appointment for individuals with unclassified instructional responsibilities which are devoted to academic instruction. Such appointments include advising and mentoring expectations congruent with creative and engaged instruction. This appointment requires an advanced degree in the field of specialization.

A minority of the Task Force believes that the Instructor title description should be replaced with the following: A faculty appointment for individuals with unclassified instructional appointments whose functions are devoted exclusively or primarily to undergraduate academic instruction focused on foundational courses in their disciplines. Such appointments include advising and mentoring expectations congruent with creative and engaged undergraduate instruction. This appointment requires an advanced degree in the field. Instructors with appropriate credentials and a record of scholarly achievement may occasionally teach some advanced courses such as graduate courses, as these are approved by the department chair and/or curriculum committee and an academic dean.

To understand the nature of our disagreement with the majority on this issue, we must note that the entire Task Force agreed to recommend implementation of the Instructor rank but not the Lecturer rank because the creation of two separate ranking series for instructional faculty appeared cumbersome and was not in keeping with employment practices at comparator institutions. However, a majority of the committee decided to recommend that PSU implement a definition of Instructor that, in essence, combines the job duties of Instructor and Lecturer outlined in OAR 580-020-0005. The OAR describes the Instructor position as devoted “exclusively or primarily to undergraduate instruction,” while the Lecturer position “must include ... a significant measure of responsibility for graduate education.” The definition of Instructor advocated by the Task Force majority contains no information on the type of teaching (undergraduate vs. graduate) expected of faculty in this rank, meaning that Instructors may be employed to teach at all levels. We of the minority believe that this decision to blend the duties the OAR originally assigned respectively to Instructors and Lecturers creates a host of problems because:

- it contradicts the language (and spirit) of the OAR’s definition of the Instructor rank,
• it creates a faculty rank, explicitly defined in the OAR as non-tenure-track, that replicates the teaching responsibilities of tenure-track faculty, and
• it expects faculty who have been hired primarily to teach rather than conduct research, and who in most cases will not be provided with sufficient time to pursue and develop an international career as scholars, to teach and mentor advanced undergraduates and graduate students.

We have already discussed the potential problems with creating a NTTF rank that differs little from the traditional job duties of TTF. As to the third bullet point above, we believe that not only is it ill-advised to employ faculty for whom classroom instruction is their sole or primary duty to teach advanced courses, but that there are sound pedagogical reasons for instead distinguishing between two types of faculty: those who teach foundational undergraduate courses full-time, and those who split their time between teaching, research, and service and are primarily responsible for teaching advanced courses. (We believe that making this division between types of faculty official was a central motivation behind the University of Oregon’s original descriptions of the Instructor and Lecturer ranks in its Document on NTTF, but that this vision became distorted once these ranks were included in a different context in OAR 580-020-0005. As discussed above, under the “Lecturer” definition the UO document explicitly states that “most appointments directed at graduate education should include research expectations and the development of a concomitant professorial appointment.”)

For the past several decades, universities have increasingly hired faculty whose primary responsibility is teaching rather than research and service. Thus, at PSU, Instructors and fixed-term professors generally teach 36 credit hours per year, whereas traditional tenure-track professors teach 24 SCH, a load that allows time for research and service. At comparator institutions, faculty with higher teaching loads are hired to teach undergraduate courses – often mostly or only lower-division courses – making their job qualifications and duties similar to those of professors at junior colleges. The definition of the Instructor rank proposed by the Task Force majority, in contrast, gives administrators and departments the option to ask Instructors whose primary or sole duties are pedagogical to teach advanced undergraduate and graduate courses. This not only will create an undue time burden on faculty whose work hours are already consumed with a heavy teaching schedule and do not provide for the intensive advising required for advanced students. It also threatens the quality of the specialized undergraduate and graduate education we provide at PSU and potentially undermines the reputation of our major and graduate programs.

To make this assertion is not to impugn the pedagogical or scholarly skills of faculty hired as instructors, nor their academic qualifications. It is to recognize, however, that the teaching load expected of instructors is not designed to allow them sufficient time to conduct research that will advance their reputations nationally or internationally in their fields, nor are these faculty evaluated on that basis. We believe that faculty whose jobs are not designed to foster such a scholarly agenda should not be hired to teach advanced courses or to develop curriculum. Once students have chosen a major or graduate program, they have committed themselves to a specific discipline and need to be exposed to the most
up-to-date discoveries and debates within their area of study. Faculty who have been hired and retained because of their important interventions in the scholarship of their disciplines, and whose jobs allow appropriate time and resources for further research, are best qualified to teach, advise, and support students at this level, both while they are earning their degrees and as they enter the workforce. Of course, there are some exceptional faculty members who are able to maintain an active research program while teaching 36 credit hours per year, and our suggested alternative description of the Instructor rank provides a mechanism for these faculty to teach advanced courses with the proper university approval. However, we believe it is crucial that the rank of instructor be fundamentally understood as involving undergraduate instruction, as is provided in OAR 580-020-0005, and moreover that this instruction focus on lower-division and foundational courses (such as general education courses and surveys), which is standard practice at comparator universities.

Attached as Appendix I is an excerpt from a document we submitted to the Task Force detailing the positive reasons why we believe it is beneficial to hire some faculty whose job duties are devoted primarily or exclusively to undergraduate instruction, and answering the objections raised by other members of the Task Force to our proposed language describing the Instructor rank. Those other members gave three main reasons for why the description of the Instructor position should contain no limitations on the level of courses these faculty could teach: (1) some applicants for jobs involving graduate teaching do not want to be on the tenure track; (2) some applicants for Instructor positions hold the terminal degree in their field, and it would be a dishonor to their qualifications not to hire them to teach the most advanced courses; and (3) departments are already employing NTTF to teach graduate students and any contradictory university policy will either hamper a practice that was already well-established or be ignored anyway by administrators and department chairs. Since none of these arguments addressed the crucial issue of academic quality, we found and continue to find them unconvincing.

C. Explanation of Presence/Absence of “NTTF” in Descriptions of Faculty Ranks

In our work on the Task Force, we successfully argued that in PSU’s internal policy documents, it was unnecessary to include the designation “Non-Tenure Track Faculty” that precedes all but two of the revised descriptions of faculty ranks in OAR 580-020-0005 (“Librarian” and “Tenure-Track and Tenured Faculty”). We made this argument because we believe that PSU must assess the provisions of the OAR in regard to faculty job security before it adopts its distinction between NTT and TT ranks. As a result of our arguments, the designation “NTTF” is missing from the job descriptions of “Instructor” and “Research Professor” included in the Task Force’s final report. However, the designation “NTTF” is included in the descriptions of the other ranks. This is because, although as we were completing our report we reiterated our argument that it was unnecessary and indeed undesirable to designate certain ranks “NTTF” until the faculty had had an opportunity to articulate why these specific jobs should not merit tenure, other members of the task force did not address our concerns, and it would have hampered the work of the committee to press the issue further. We are still not aware of why other members of the Task Force believed it was important to maintain the “NTTF” in the descriptions of all faculty ranks.
except for Instructor and Research Professor, or indeed if they had a strong view on this subject. However, we recommend that Faculty Senate and OAA seriously consider removing this language entirely from any official descriptions of faculty ranks until the faculty and OAA have had the opportunity to thoroughly review the justifications and implications for designating certain positions as not meriting tenure.

**IX. Conclusion**

Our main recommendation is that in designing an implementation strategy for the newly revised OAR 580-020-0005, PSU take the opportunity to spell out for itself and for the State an overarching vision of the role of faculty at this institution. We recommend producing a document that presents a comprehensive scheme for faculty responsibilities and qualifications, in which it is clear how each specific faculty rank (1) fulfills a research and/or teaching need in the university, and (2) relates to every other faculty rank (e.g., where are there overlaps in duties?). Since no such document presently exists at PSU, we recommend that language explaining and justifying the specific duties and qualifications attached to each faculty rank be included in a new, official policy document of this university that is produced by the faculty in consultation with OAA. This document could be combined with the existing University’s Policies and Procedures for the Evaluation of Faculty for Tenure, Promotion and Merit Increases, as well as the Constitution of the PSU Faculty. Whatever its final form, the document should result from an extended deliberative process whose central participants are PSU faculty who are directly engaged with fulfilling the teaching and research missions of this institution (in other words, those faculty who are already eligible to be members of Senate). We further recommend that any such document articulate the purpose of tenure, and therefore the types of qualifications and responsibilities that a faculty member should have in order to be eligible for tenure.

Thank you for considering the recommendations in this Report. Please feel free to discuss with us any issues that require further clarification.