

This is a partial transcription from the February 13, 2002 University Faculty Senate Meeting. The minutes of the meeting have not yet been approved so the text should be considered as draft and the information used accordingly.

PRELIMINARY DISCUSSION ON CREATION OF A NEW (NON-TENURE TRACK) PROFESSORIAL TITLE – CLINICAL PROFESSOR: ALAN BELL, PROFESSOR, ANIMAL SCIENCE AND CHAIR, TASK FORCE ON PROFESSORIAL TITLES

Professor Alan Bell, Animal Science and Chair, Task Force on Professorial Titles: "Thank you, Mr. Speaker. I am going to be very brief, extremely brief in fact, because I will yield the floor to two of my task force colleagues who have put in an enormous amount of work over the last sixteen months or so. I just want to get your attention focused on two or three things here. First of all, you should all have received mailings of beautifully color-coded materials. There are three stapled pieces that I want to call your attention to. The first is a brief report from our task force ([Appendix 5](#)) that outlines background, the membership, which I think is broadly representative of our community, the charge and our activities. It is by no means an exhaustive report, but I hope you have read it and it does give you some perspective on what we have been up to.

"The second, which is much more specific to the topic we are going to discuss today, is titled 'Proposed Enabling Legislation.' ([Appendix 6](#)) It has been pointed out to me that this is perhaps not quite a correct title in that this is not in legislative form; this is more background and rationale for the legislation that may be brought to the Senate, perhaps as early as next month. With that piece, there are two appendices. One is simply a list of currently available academic titles, which was certainly the consideration that we began with when we started our work back in the fall of 2000. There are two individuals in the group today who can speak with some authority and knowledge of this appendix: Professor Lynne Abel and Professor Don Cooke have a lot of historical knowledge and functional knowledge of this, if there are questions for them. Then the dark yellow piece, the Appendix B, here is central to the discussion we are going to have today and at the faculty forum next week. This is specific to the clinical professor title that the Provost also gave comments on. The third piece ([Appendix 7](#)) that was in your mail is not something produced by our task force; it was a discussion piece that was used in the considerations of the Vet College when they were wrestling with the issue of a clinical professor title last fall.

"I remind you that our task force went into hibernation for two or three months, because we were waiting for the Vet School, as a major unit with a specific interest in the clinical professor title, to provide some direction on what faculty sentiment might be. Once the Vet School had considered and voted on this, we felt that we were in a position to bring this to the Senate. Those are the pieces that you have. I'll now call on Professor Abby Cohn who has put much effort into what I am still calling enabling legislation, who will speak to us for perhaps eight or ten minutes, and then Professor Mike Kotlikoff who will provide some background on issues more specific to the title. Then there will be lots of time for general discussion. Some of the other information here in my last overhead has already been represented, but just to get together information about how the task force hopes things will proceed here. We will proceed with our discussion today without vote. The faculty forum has already been arranged for next Wednesday at 4:30 p.m. and there was a notice that the Dean of Faculty had on the board, and, although this is not set in stone, I guess the task force is hoping that a formal resolution can be brought to this body as early as next month's meeting. I now call on Professor Cohn."

Professor Abigail Cohn, Linguistics and member of the Task Force on Professorial Titles: "The central question that the task force has addressed is, 'Is Cornell's set of available academic titles adequate?' ([Cohn overheads - Appendix 8.](#))

We have actually considered a wide range of issues including temporary positions, status of non-tenured faculty positions in general, and the status of faculty close to retirement. These questions will be addressed in the task force's final report. What we want to focus on today is the specific question of long-term, non-tenure track appointments. These are term appointments that meet specific functions, and these are renewable without restriction. This is a slightly rearranged version of Appendix A. What I have done is put the tenured and tenure track titles together and the temporary titles down at the bottom. The question we are really asking is, 'Is this set of long-term, non-tenure track appointments adequate?' Academic titles at Cornell are approved by the Board of Trustees, and any proposed

additions to this must be approved by the trustees. However, this is an academic matter and not an administrative one, and that's why we have this task force.

"There are two areas of inequity that we discussed at great length within the task force, and the first is within the clinical sphere. These are individuals carrying out essential teaching and service functions in a clinical setting. These are found primarily in professional colleges, and these individuals are typically in lecturer or senior lecturer positions. The second sphere is the research sphere where there are individuals carrying out certain research functions usually on soft money, primarily in the laboratory sciences. These individuals are typically in research associate or senior research associate positions. Both of these categories are positions that are largely single function and do not include the full range of teaching, research, extension and service associated with tenure-track professorial lines. In fact, we find that the current set of available titles is not sufficient.

"There are a number of problems. I might mention that Bidy has spoken to some of these problems in her remarks. The guidelines for hiring and promotion of individuals in these positions do not fit well with the actual duties and responsibilities of these individuals. Many aspects of the employment of these individuals serving these functions are ad hoc, leaving both the individuals and the institution vulnerable. Cornell finds itself at a serious competitive disadvantage in trying to attract and retain the most qualified individuals. Our strongest peer institutions make use of a richer array of job categories, and finally, individuals in these roles at Cornell find themselves at a disadvantage when competing for external funding resources.

"We would like to suggest that what is needed are appropriate career paths that have the potential to be long-term and include clear guidelines for hiring and promotion, as well as grievance procedures. It is crucial to define these positions with appropriate rights and responsibilities as well as respect for those individuals who play an integral role in the academic endeavors at Cornell, but who find that they do not fit in the canonical tenure track categories. Appropriate new titles and corresponding policies and procedures would address the problems that we have outlined above. In the proposal that we are presenting today, we are actually addressing only the clinical sphere. The crux of the proposal is that this should be on a college by college basis. These issues are much more pressing in some colleges than others. So we believe that an across-the-board enrichment of professorial titles would not be the most effective solution. Rather we suggest offering the option of introducing a limited set of new professorial non-tenure track titles for the clinical sphere on a college-by-college basis. The proposed legislation would not dictate the availability of these titles but rather enable individual colleges to develop proposals meeting the set proposal guidelines for use of these titles within a particular college. In particular, we are proposing the titles clinical professor, associate clinical professor and assistant clinical professor.

"If the proposed enabling legislation is supported by the Faculty Senate, the steps involved would be as follows. A college would develop a proposal for the creation and use of the title clinical professor, which would be presented to the full tenure track faculty of that college. If the proposal is supported by the majority of the tenure track faculty voting by ballot, the college would consult the appropriate Faculty Senate committee to be sure the proposal fits the proposal guidelines and then submit the proposal to the Provost for consideration. What we are now presenting to the Senate is at least the concept of the enabling legislation, that if approved by the Faculty Senate and subsequently by the Provost and the Board of Trustees would allow implementation of the titles clinical professor at the assistant, associate and full ranks on a college-by-college basis, and a specific proposal approved by the majority of tenure track faculty of the Vet College to implement this set of titles. We present these two in tandem since if the Faculty Senate was asked to approve the general approach and enabling legislation but without a substantive proposal from a specific college, there is no compelling motivation for the Senate to endorse such legislation. For this reason the task force has worked in parallel with the Veterinary College where such a proposal was already in an incipient stage when the task force was constituted. I should mention as well that the Law School has begun to consider this question but does not yet have a formal proposal. The task force endorses the Veterinary College's proposal for implementing these titles. More generally, we endorse the selective expansion of current academic titles to include the use of these titles by specific colleges when so approved by their faculty and conforming to the general guidelines of these positions. The question that we would like to bring to you then is, 'Should this legislation be enabled?'"

Professor Michael Kotlikoff, Biomedical Sciences and member of the Task Force on Professorial Titles: "I'm here on the part of the Veterinary College and also on the part of the task force, and my task is made easier by the comments of Provost Martin and Professor Cohn. ([Kotlikoff overheads - Appendix 9.](#)) Let me start by summarizing quickly the process that we have gone through in the Veterinary College and reported on this to the Senate about six months ago.

A committee from the Veterinary College developed a proposal for a clinical professorial track. That committee met for about two years. At the end of that, they brought forward a proposal that was also in sequence with a proposal that came out of the task force. We took that proposal to every department in the Veterinary College and met with the faculty of every department. We also met with the General Committee faculty and modified the proposal based on comments by both the faculty in the departments and comments in the General Committee meeting. We then considered the proposal at a faculty meeting and decided on rules or guidelines by which we would consider this proposal. That is we decided, for example, that we wouldn't have just a faculty meeting and then vote on it, but that we would that we send out a ballot and have all tenure track faculty vote on this proposal. We also decided we would have two college town meetings, and we did have two town meetings. Then we had yet another faculty meeting where we discussed the proposal prior to a vote. So there was ample opportunity for all of us, including me, to be multiply redundant. At the end of that time, the Veterinary faculty voted 52 in favor and 30 opposed to this proposal, with one abstaining.

"Let me just briefly outline the problems that we see, and these have been outlined, so I'll go very quickly. First, the competitiveness. Apparently nineteen out of twenty-six veterinary colleges have a clinical track, and we are in the constant situation of recruiting faculty to come to Cornell where they have been offered positions as professor or associate professor or assistant professor at another veterinary college, and we are offering them the title of lecturer. So we are at a distinct competitive disadvantage, and I believe over time we will not get the best individuals that we are seeking. Secondly, fairness, which was brought up by the Provost and Professor Cohn, I would make two points. First, we have individuals in tenure track lines that have substantial clinical responsibilities far in excess of the 50% guideline that the Provost has talked about for research that would be a target as a minimum for a great research university. Those people are competitively disadvantaged at time of tenure. Secondly, we have individuals who substantially contribute to the reputation and professionalism of the college. Those individuals really have a passion for clinical work and teaching, and they really support the mission of the college. Those people, I would assert, are treated unfairly in the sense that they know that they could be titled otherwise, a professor, at another institution and they are not at that title at Cornell. Thirdly, I would just point out two facts of life. One is that medicine has expanded dramatically over the last two decades. This has resulted in the creation of areas in medicine that didn't exist before. That has required new faculty and expansion of our faculty. At the same time we have a fixed amount of tenure lines. So what can we do? We can take lines from another part of the college. That would weaken another part of the college, and I would argue would not be the solution to this problem. The suggestion is to increase flexibility and not try to fulfill that need through a cadre of lecturers or senior lecturers who should be otherwise titled.

"Going very quickly, two more overheads. The Veterinary College has had a vigorous and extensive debate about this matter. Many faculty that I respect and admire have argued passionately in opposition to it. Those individuals have brought up many points, but those arguments have not been compelling to the veterinary faculty. I would therefore suggest that the relevant issue for the Faculty Senate be not whether this is a good thing for the Veterinary College but rather whether the Veterinary College should be so enabled to do what it has decided it should do. Or stated another way, whether such a proposal or title in some way violates the core principles of the university. Lastly, I would argue that the current range of titles may not serve the best interests of all the colleges at Cornell. These colleges may determine an expansion of professorial titles to include non-tenure clinical professors would enhance their competitiveness and would be fairer. The proposal does not undermine fundamental principles of the university. I would argue, thirdly, as the Provost said that in fact the proposal will result in more consistent policies relative to tenure at Cornell."

Speaker Howland: "Thank you, Professor Kotlikoff. The topic is now open for discussion, and the committee is particularly interested in receiving feedback on this particular issue of clinical professors. I see several hands. We'll go across here."

Professor Chirstine Ranney, Applied Economics and Management: "Do other universities that use these positions, are they all non-tenure track positions at the other universities?"

Professor Kotlikoff: "The nineteen out of twenty-six that I mentioned are all non-tenure track."

Professor Stephen Vavasis, Computer Science: "The proposal right now seems to be sort of limited to veterinary medicine. Most other departments don't have clinical positions. I'm wondering about the other part of the proposal. The research professorship would have it seems a much broader impact, and why is that not part of the current

proposal? Will it be part of a proposal coming up very shortly?"

Professor Bell: "We have considered the research title at some length, and at one point we had hoped that the proposal, there was also considerable interest in this title in the Vet College, that the clinical and research titles might be considered in tandem. People in the Vet College can say very well why that didn't come to pass. It was a sufficient challenge I think to consider this first clinical title. However, I guess in the expectation that our task force work is not yet done, we expect that if this particular proposal has legs, then we will turn to the research proposal. I agree with you that it does have broader applications. I should also point out that there is interest outside the Vet School in the clinical title. The Law School has already begun at least to consider this particular title. Whether it would be called clinical professor or professor of the practice or something similar, I don't know, but the concept at least has interest for that school and I think a couple of other units have also expressed interest."

Professor Bud Tennant, Clinical Sciences: "I just want to point out that the schools that have these non-tenure track titles, they don't all use 'professor.'

The University of Minnesota that has more than half their faculty in non-tenure positions, at least the Small Animal Medicine and Surgery Department has less than half of their faculty as tenured faculty. They use a specialist title; you're an assistant specialist. And professor, which is really one of the key issues as far as I'm concerned, is unrelated. Our peer institutions, the University of California, as I understand, have three of these people out of a faculty that exceeds 150.

Professor Manfred Lindau, Applied Physics: "I would like to get a clarification regarding the research aspect of this. As I understand it, this is intended to be something which has been discussed in the Vet School, in particular for those individuals who are strongly involved in clinical work. I understand this means primarily dealing with patients. On the other hand, there is this aspect of research, talking about those who at present have other sorts of titles and work mostly on soft money and so on. I'm not exactly sure how important it would be to have those people in a group where you offer a non-tenure track sort of option. I think the idea is probably that you have faculty members who do a lot of research and a little teaching, and much of this is on soft money, and it would compare with what happens a great deal in the medical schools. Those colleagues would usually, or in many cases (all I know) would be in tenure track positions. Would that be excluded in this way, and I would like to hear about it?"

Professor Kotlikoff: "Sure, I would be glad to respond. The first thing is that the issues were different enough. Both issues were brought before the Veterinary College, but the issues were different enough that we felt that we ought to deal with them separately. So the clinical issue was of most immediate import, and that was brought forward. The point that you raised about research professors - there are at Weill Medical College non-tenure research faculty. Those are faculty that are on soft money; they are primarily single function; they are primarily research, and they are non-tenure track. There are also, I'm sure as you point out, tenure track faculty that do mainly research and don't do too much teaching. The feeling was that these issues are separate enough that they should really have separate Faculty Senate consideration. That is, the Faculty Senate might decide that clinical professors are something that they feel should be enabled; they might feel that research professors are also something, but they may not feel that both should be enabled at Cornell."

Professor Lindau: "So this title is not intended for research professors at the Vet School, because that's what it sounded like."

Professor Kotlikoff: "Not at all."

Professor Tony Simons, Hotel School: "I come at this with some ambivalence. I understand my school is quite interested, or at least the Dean has told me that they are very interested in the titles. At the same time I'm hearing concerns from faculty. There are concerns about diminution of intellectual capital. There are concerns about what is the professionalism requirement of that position. Are we going to start hiring a manager, someone who was a general manager of a hotel and say, 'OK, we're now going to call you a 'professor?' If that's the case, some people are worried that it makes the word professor not mean very much any more. I just wanted to throw that out. What has been the thinking in terms of professionalism requirements of someone who is going to be called a professor?"

Speaker Howland: "Is anyone ready to respond? Professor Kotlikoff?"

Professor Kotlikoff: "Yes, we spent a lot of time thinking about those issues, and felt that the current notion of the proposal is an improvement in that regard, in the sense that we outline guidelines in this proposal for national and international searches for these positions, departmental approval for these positions, guidelines for promotion for these positions to associate level, etc. So all of those things that are meant to provide the quality control that would I think address some of the concerns that you are raising, I would point out that currently none of those seem to be well, I shouldn't say none of those, but the way the current titles are handled are very diverse across colleges."

Professor Joseph Hotchkiss, Food Science: "I've heard a similar discussion at other universities and read of that. In part eventually that discussion gets around to concern that their administration, certainly not ours, their administration might use this as a way to bring in a different kind of person who would have many of the responsibilities that normally you might dedicate to a tenure track line, therefore as a way of really diluting or decreasing the tenure track lines and bringing in people to do similar jobs in non-tenure track lines. I'm wondering if the committee discussed this concern. Administrations change, and a new administration might not be so willing to support the tenure track system. In essence move this slowly. What safeguards are in your proposal to assure that this kind of movement not happen?"

Professor Cohn: "There are a number of very important issues that you have raised, many of which we have discussed at length. The assumption that we have been working with is that there is indeed a cap on the number of tenure track lines at Cornell. We have been told that by the President and other members of the central administration. We understand implicitly that there is no intention in reducing that number of lines, but of course we have no guarantees, and whether or not we pursue this particular path, we have no guarantees in that regard. In fact, when we started to look at these problems closely, it turns out that in many cases what is more at issue is not the risk of diluting the tenure and tenure track faculty, but really addressing how we treat the existing quite large cadre of non-tenure track personnel at Cornell who serve very important academic roles. While there are no guarantees with respect to the first point, we really do feel that this issue is much more about the second point, which is supporting and regularizing the individuals who are already in the non-tenure track roles. In addition, each college that chooses to pursue developing a proposal has to establish for themselves the guidelines under which these positions would hold. In the Vet proposal for example there is a cap is it twenty-five percent?"

Professor Kotlikoff: "Twenty-five percent of tenured faculty."

Professor Cohn: ". . . in any given department, which particularly in the case of the Clinical Department is going to greatly restrict how extensively that title is used. With individual colleges putting those kinds of safeguards and controls in place, there would at least be a mechanism by which there shouldn't be wholesale shifts. Of course there are no guarantees."

Professor Richard Durst, Food Science and Technology, Geneva: "I apologize for yelling so loudly with people sitting right in front of me. Well, first of all, I am fully supportive of this enabling legislation, based on what I read in the documents and what I heard today. However Professor Kotlikoff indicated that there were fairly large number of faculty in the Veterinary College who had arguments against this legislation, but these were not compelling. I think to give a balanced picture, I would like to hear some of the concerns that this faculty had."

Professor Bell: "Could I just make a comment? Yes, we would like to hear, and I know there are voices in this room who I'm sure will be heard. I also should comment that we are structuring the faculty forum next week to include some balance in this consideration. Of course once the invited speakers get their pieces said quickly, there will be plenty of time for all voices."

Professor Steven Shiffrin, Law School: "The Law School met last week. It was the general sense of the faculty that they wished to support the enabling legislation. I just want to say a word about what clinical professors do as opposed to tenure and tenure track faculty. The clinical professors in the Law School are attorneys of record in cases in which students help represent the clients, and they teach the students how to represent the clients. I would say that the overwhelming majority of tenure and tenure track faculty in the Law School would be utterly incompetent to do that, simply because my colleagues, with some very conspicuous exceptions, would be very good at writing briefs in appellate courts but would be terrified at the prospect of representing a live client from the beginning and just don't have the experience. They have been hired after a couple of years out of law school. They were hired on the theory that they could write and that they could teach, and many of them can, but the clinical faculty have skills that the tenured and tenure track faculty do not. They are called lecturers. They don't lecture. It is an utterly inappropriate title."

"Having said that, I am interested in the arguments in the Vet School that were opposed to this proposal. In the Law School I am quite confident that if the proposal were changed, it would be an exercise in humanity not an attempt to expand non-tenured faculty at the expense of tenured faculty and so forth. At the moment I'm agnostic on the Vet School, but I suspect I am going to favor it. However I would like to know were the arguments against this proposal, 'This demeans the . . . I am a professor, and I don't want somebody else to be called a professor?' And my answer to that is, 'Why don't you write some good books, and then you'll get dignity.' If the claim was that somehow this is working to the disadvantage of the very people that are claimed to be helped, then I would like to hear those arguments."

Speaker Howland: "That is the second appeal that we have had for that. Is there anybody from the Veterinary College who hasn't spoken before who wishes to speak?"

Professor Robin Gleed, Clinical Sciences: "There have been several arguments against this proposal in my department. Most of them seem to focus around the issue of tenure. I think there is no question that this proposal provides a mechanism whereby the university can expand its academic core without addressing tenure. I hope that the discussion today and the discussion next week will focus a little bit on that context, whether expansion of the academic core without tenure is good or bad."

Professor Alice Pell, Animal Science: "Did the task force actually speak to the people who are currently in the senior research associate positions or the inappropriate lectureship positions to ask what their reactions to these title changes were? My experience is that they are mightily unhappy with their current titles."

Professor Bell: "Not directly. We do have one senior lecturer on the task force but not from the Vet College. He is from Arts and Sciences. One of the early considerations of the task force was the situation of folks in these positions. I think we will be considering that issue later and separately. But it is a significant issue, a campus wide issue. In the Vet School itself I'm not quite sure how this was addressed, if at all."

Professor Kotlikoff: "Well, I can answer briefly. I have spoken to such individuals and tried to recruit individuals, and my own impression is that the culture of the young people coming in is such that they are more interested in an appropriate job description that allows them to do what they want to do, than whether they have tenure or not. That would be point one. The second is that they very well know that they could go someplace else and be a professor, and that Cornell is telling them they are not."

Professor Richard Baer, Natural Resources: "The equity thing of having titles that fit the seriousness of the work and the ability and so on makes sense. I'm a little more concerned about why society wants tenure. It seems to me the major argument we can defend is academic freedom that you have a certain ability to say what you think without pressure from colleagues or the administration to do otherwise. It seems to me that varies a great deal with disciplines. In some ways I think you could argue there is probably much less need for that in math or certain areas of physics or chemistry, say, than in political science and philosophy and areas like that. I'm concerned about - do we want a sizable amount of the teaching and or research in controversial areas done by individuals who do not have the protection of academic freedom? This is an age of political correctness, and I don't like the thought that a lot of faculty in some of the departments where there is a lot of controversy and a lot of conflict over ideology will not be protected in what they say. We have that now, so this doesn't make us any worse off, but I think in that sense; the issue is really, really important in terms of the nature of a university in a free society. We really value academic freedom very, very highly, and in certain areas of research, in certain areas of teaching it's unusually important. I'm uneasy having too many current instructors without tenure, and if that somehow gets institutionalized with a professor title that they still don't have that protection. I think we ought to think very, very carefully about doing that. The other part about equity and treating people fairly for similar work, I think is very, very persuasive. I would support it there, but the academic freedom component of it, which I think is almost the only persuasive argument we have for tenure, we ought to think pretty carefully about that."

Professor Ronald Booker, Neurobiology and Behavior: "I think that's a consideration, a serious one, a concern of mine in terms of academic freedom that derives from the tenure system. It gives you a certain degree of protection, but we actually have a fairly large number of individuals that are already in a position of teaching and doing research, but they are not on the tenure track. So what we need to do is address the situation of those individuals. In a sense de facto, although I have heard people argue against it, de facto we are already doing the very thing that everyone is speaking

against, except we sort of lie to ourselves and say, 'Well, because we don't use the term professor, we are covered.' I don't think that's fair to those individuals. I think that's the real problem that we need to address. We need to be honest about what we are doing in this particular case, and I don't think it's honest to say that the term professor is somehow protected, and we'll deal with these people some other way. Lecturers, senior research associates, senior extension associates, we need to be fair to those individuals.

"To be honest, I'm a little bit disappointed that the committee in actually putting together this package didn't really involve those individuals in that effort. Now, I would hope that in the faculty forum that is held next week that an effort is made to make sure there is fair representation of those individuals on the panel, so we can actually find out how they feel, because in a way I think Provost Martin is correct. This is about how they feel, their perceptions of what we think the role they play in this community is, and we need to make sure that they are treated fairly. We have considerations to make in terms of academic freedom. Tenure is a really nice system, but we also have to think about a manpower issue and how the individuals that are employed by this university—how are they treated and is that treatment fair?

"It's a complicated issue, which means that we have to do some self-policing here. That, in the long run, will always be the case. Now the fact that the administration at some point wants to try to take advantage of this situation in some way, as some people have said, to try to manipulate it so that they can actually reduce the number of faculty FTE's that we are using, the tenure track for non-tenure track, it's our responsibility to make sure that that doesn't happen. We cannot be asleep at the wheel on this.

"I favor this. I'm also disappointed that we don't have the research professor position being considered in this case, because I think in this particular case I feel as though this is just something to satisfy the needs of the Vet College. If we are really concerned about individuals in the workplace, then we can't try to structure our legislation to only handle subsets of that employee base. We need to be fair to everyone, and I can't see most colleges taking advantage of the title; it's restricted because of the phrase 'clinical.' If it is possible, I would like us to try to debate the full issue of the range of titles we need to have, and it's going to be hard. I mean, I know partly it's probably because there is some fear that individuals might try to block it for the Vet College, but I think this is something that the university needs to address, openly and fairly, being honest about it."

Professor Kay Obendorf, Textile and Apparel: "We've talked a lot about clinical and professor of the practice and research professor. I want to know what is the consideration for the extension/outreach mission of the university, the extension associates the senior extension associates?"

Professor Bell: "That has been discussed, but not explicitly addressed by the task force. I applaud the comments that were made here a moment ago. I think all I can say is that (this isn't completely addressing your question, Kay) the task force found as we wrestled with so many different particular issues here that the only way we could make progress was to do one thing at a time. We recognize that we will, I think, have to address all of the issues that have been raised here in the last few minutes."

Professor Obendorf: "I think that this is very encompassing, so I hope that we can address that in the forum."

Professor Bell: "I think there is a danger that if we broaden this too much, next week for example, that it will be very easy to get this thing sidetracked."

Professor Risa Lieberwitz, Industrial and Labor Relations: "It seems to me that we are talking about two separate issues at some level. First, we have heard, as we all know, against the background nationally that there has been an erosion of tenure track lines, and that has come from the administrations at different universities. I don't think it's being cynical to recognize that that is the national background that we are looking at and to have concerns for that, because of the issues of academic freedom. That's our background, but then we have the current situation being raised that I think is very important in terms of dealing with employees who are currently employed here in positions which do not recognize, either through their titles or the rights that they are given, the actual work that they do and the kind of recognition that is deserved. I think everybody seems to agree that that should be addressed. The question is how to address it.

"I would endorse the sentiments that I have heard from some people here today, that one way to address it would be to

increase the scope of tenure track lines and to give tenure to people who do clinical work, recognizing that as the position of professor with all of the bundle of rights that include tenure and full academic freedom and full job security that go along with it, rather than saying somehow certain types of professors deserve tenure and academic freedom and the job security that go with it, but other types, those clinical types, don't deserve that. Well, I would go just the full way and say, 'Look, let's just expand tenure to everybody in the position of professor.' If you get the title, you should get the tenure too. So that's one issue that we have to deal withæ those who are currently in those jobs.

"But then the issue that's raised by the Vet School proposal seems to me to be different, because as we heard Professor Glead from the Vet School say (I thought I heard you say) that in fact some of the concerns had to do with the fact that this would grow the academic positions, which have been tenure track to be non-tenure track positions. If you read the Vet School proposal, I think it's quite clear from reading that and what I'm hearing that this is to add a new layer of non-tenure track jobs in the Vet School. That seems to me to raise all of the questions that have already been raised which is why not, instead of growing those positions as non-tenure track positions in the clinical practice, why not have them get the promotion process that looks like tenure? Have academic freedom fully connected to a tenure position. In fact, have clinical tenured positions if you need them, rather than making them second-class positions. Who is going to hold those second class positions at this new layer? I'm afraid it will probably be primarily women in these jobs. In fact, I have seen some statistics, which I'm sure you people have seen, at the University of Pennsylvania where when they added a new layer of clinical non-tenure track positions, it was overwhelmingly held by women, I think sixty some percent. So it seems to me that's a real issue of adding yet another layer of non-tenure track jobs and we should I think oppose that and at the same time address the issue of under evaluation of people who currently hold instructor or lecturer positions."

Professor Terrence Fine, Electrical and Computer Engineering: "I have a great deal of difficulty with this proposal, as you might have expected Provost."

Provost Martin: "I didn't actually."

LAUGHTER.

Professor Fine: "I sense almost a sea change here, because there is a huge whale under the surface, which is about to breach on us. I think the tenure thing is a very important issue and the impact of this on tenure. I don't hold the title of professor lightly, not at all. But I don't even think that that's the major thing. I think there is an issue here about tenure. I have been reading Frank Rhodes' book on The Creation of the Future and realize that tenure is not secure and well in the United States of America. There is a management view, which says it increases flexibility if you don't have all these long-term commitments. What we have here is a little like something I heard recently, Amos Oz was speaking about tragedy as being good versus good. It's very simple when it's good versus bad, but we've got good versus good here. We have people taking a position which says that maybe something needs to be done for a class of people who have been teaching and doing research in the university, that their situation needs improving. But somehow I would like to see a very strong wall built between doing that and doing damage to the other side. All right? Doing damage to the tenure system, doing damage to our ability to hire tenure faculty that is the core of the university, not these peripheral things. It's the multi-function appointments.

"Now, in fact I'm not even at all clearæ in this proposal, whereas on one page they talk about largely single function, in the actual Vet School proposal, depending on how you read it, they are talking about people doing clinical research, teaching or administrative activities. Basically, this sounds like a multi-function appointment. On a very small scale, I'm surprised that anybody would want to do this by a majority vote. Is this an issue that is so mundane, so everyday, that you just decide it by a majority vote? It seems to me that this is something a lot more like changing your by-laws or your constitution. If you are going to make a change in a college about how you construe faculty, how you construe professors, what you do with your resources, where you spend them, you don't spend them on tenure lines, you spend them on all these rolling tenure lines, then I think that ought to be decided by more than a simple majority. In fact, I notice, I would have said two thirds, except that may seem maybe in some sense self-serving for my argument, because it would have failed in the Vet School if you had had to have two thirds. I'm mostly curious whether there are only 83 tenure track faculty in the Vet School. Was that a complete vote?"

Professor Kotlikoff: "There were 115 eligible faculty."

Professor Fine: "OK. So we are not even talking about a majority of the tenure track faculty, but everyone that was sent a ballot. So let me then call attention to the fact that they talked about the majority of those voting. You can have a rather strange thing here, it seems to me, to decide to change very much how you do business on the basis of the majority of those voting. I would much rather see two thirds, a much higher threshold to make a change as important as this. If the Law School is of as like a mind as has been indicated to us, no problem, you will have your two thirds. All right? This is not a minor matter, just a sort of little procedural thing you do by majority vote.

"I think this is a step in two directions at once, trying to do something that is right for a group of people but something that has implications that are very wrong to the very heart of this university. I would like to see somehow, in the time before this comes to the floor, a much stronger wall built between these two functions; that you don't impair the critical function of the university carried out by the tenured faculty, by some device like this being run by majority rules. You'll notice that at the moment you need the trustees to approve this. Once you have done this by majority vote in any college, you can get anywhere you want. To this point it's considered to be a very significant move, we can't sit here and decide that, we need the trustees to do that. Once you have done that, no, it's completely just ordinary business. I think that is completely wrong."

Professor Stephen Barr, Clinical Sciences: "The proposal that is appended here as being the proposal that was voted on by the Veterinary College, I would ask this body look very closely at that proposal. Now, I personally voted against it, because I think if you look at what the Veterinary College actually voted for, or against, you will find that it contains a considerable research, albeit scholarship, component. I would ask this body to look very carefully - if you are going to make a decision and sort of isolate the Vet School and say, 'It's fine. If they want it, they can go ahead and do it.' But on the basis of not even twenty votes out of the college, you need to make sure that what they were voting on was the correct proposal. So I would ask you, this body, in fact the whole faculty of this university, to be given a draft, Draft Nine as it is called at the Vet School."

Speaker Howland: "This may be just a point of order, but Professor Kotlikoff?"

Professor Kotlikoff: "I'm frankly confused, Steve. I think that the appendix here, unless there was some secretarial computational mistake, was the proposal that we voted on in the faculty meeting. It was the last proposal that was presented; it was modified based on comments from the faculty at our meetings, and I believe that that was the last draft that we voted on at the Veterinary College Faculty."

Professor Shriffrin: "I have a point to make and a question. First, the point I would make is I did not represent that the Law School was going to pass a similar proposal by some unanimous vote. What I did represent was that the Law School supports, that it was the sense of the faculty to support, enabling legislation to allow us to consider the question. I would never predict what my colleagues would do. The question I would like to ask is this - I'm sure that there is a reason, and I could even give you the answer that I would like to hear, for having colleges decide independently what they are doing and then have it sent to a committee and then Provost, as opposed to adding this title to the list of titles, and I'm curious as to why you did that. One possibility, the answer I would like to hear, is that the Provost, in examining such proposals, will be looking to make sure that this is not a matter of exploitation, of adding a whole lot of untenured faculty at the expense of tenured faculty with disadvantages. I don't know what your thinking was, and I'd like to."

Professor Steven Beer, Plant Pathology: "I just wonder whether the task force considered in their deliberations whether or not tenure should be attached to the newly proposed position. Even if they did or did not, is it crystal clear in the collective mind of the task force, what the criteria are or should be that separate a tenured position from a non-tenured position?"

Professor Bell: "I think the Provost spoke eloquently to part of this. We considered multi-functionality. We considered a major research component as being necessary for a tenured faculty position, and yes, we did discuss the first issue you commented on, in the sense that much of our discussion was predicated on the belief that the number of tenure track positions in this institution are capped."

Professor Lindau: "On this same issue, maybe I'm repeating a question in a different manner. Multi-functionality is probably also associated with these positions since if we call them professor positions, I assume there is some minimal teaching obligation associated with it. So could you more clearly define why these particular positions would not be

suitable for offering tenure track?"

Professor Kotlikoff: "Let me answer two questions, yours and the other hanging question. The first is that these positions are predominantly clinical or teaching/clinical, so they are appointments that far extend beyond the guidelines of a 50% research component to an appointment. So that in itself makes them substantially different, and in the absence of making a different track it seems to me what it does is it changes tenure as some have suggested here we ought to do. But it certainly puts a pressure on what you consider tenure at the time of that evaluation. The other hanging question that I would respond to is that the task force considered that one, that what is the solution for **every** [*sic*] culture might not be a solution for other cultures, so it might not be appropriate for us to impose on the university (on other colleges) a title that they may or may not want. This was represented by some of the members of the task force that said, 'Look this works fine in our context. Everybody understands it; it works fine. It's not a competitive problem; it's not any kind of problem.' However, we did put inæ it is not something that anything goes once this is passed. Once the title is enabled, it allows the separate colleges under the guidelines in the proposal to develop a full proposal that is considered by a committee of the Faculty Senate that decides, 'Does it conform with this enabling legislation?' And, then it is considered by the Provost."

Speaker Howland: "We are down to about three minutes. Yes, in the back."

Professor Michael Shapiro, Communication: "Like a lot of people here, I find myself with several minds on this, but I also find myself very nervous about adding large numbers of non-tenured people. I would just like to point out that this may very well be an opportunity for us to enhance what we feel about teaching and enhance teaching by forcing us to define much more clearly what excellence in clinical practice and excellence in teaching and scholarship in those areas means on the road to getting tenure in those situations."

Professor Tennant: "I appreciate all the active discussion on this subject. I did not have any difficulty understanding what side of the fence Provost Martin is on on this issue. I hope none of you will leave here wondering where I stand. It's pretty much the reciprocal of the position taken by the task force and the administration. I have objections that are objections in fact."

"It has been said that these titles exist at the Medical School, but nothing else about the way those titles are used there. The Medical School has five or six tracksæ tenure track lines. All assistant professors are appointed with tenure track. After a six-year probation, some go on and have tenure and some go into one of these several other tracks, including the tracks where the title is clinical professor, clinical associate professor or clinical assistant professor. When those titles are used, the people are almost all volunteers. They almost all have their own private practices and the idea that these titles are used For example, in this proposal it says, 'Stanford University, Harvard University have these titles and use them as we would use them.' The clinical assistant professors and clinical associate professors at Stanford, again, are almost all voluntary people that volunteer, work in hospital, and do teaching but have their private income. I'm not sure about all of Harvard, but certainly at Massachusetts General Hospital that is the case as well."

"The introduction and background justification for this says, 'The College of Veterinary Medicine at Cornell University has a tradition and reputation of producing world-leading clinicians and clinical educators. Our recent emphasis on bench laboratory research . . .' (I'm not sure what laboratory would be without a bench.) ' . . . is seen as discouraging the development, recruitment or retention of leading clinicians of the future.' The idea that research, somehow, in the Veterinary College (bench research) discourages the development of clinically qualified faculty members doesn't make any sense to me."

If anything, it ought to improve the likelihood that these distinguished people would want to come here. But, I would like to ask that if I just change this phrase and I say, 'Our recent emphasis on legal scholarship is seen as discouraging the development and recruitment and retention of leading attorneys,' what would the Law School think about that? If the same thing were said for engineers doing research, would this discourage the development of leading engineers? I don't think it would, and I don't think . . . I have practiced veterinary medicine for 35 years, and I don't think it has had a negative impact on Cornell or the clinicians at Cornell."