

PURPOSE OF PROPOSED CHANGES

1. To Make Review of Lateral Cases Discretionary. Currently, FACTA automatically reviews all lateral appointments with tenure, as well as all internal promotions with tenure. The proposed change will make FACTA review of lateral appointments discretionary, on initiation of the Provost. FACTA review of internal tenure recommendations is unaffected, and will continue to occur in all cases.

Lateral appointments, which typically occur after a national search, generally do not present serious questions of tenure-worthiness.

However, the time required for FACTA review of these appointments has had awkward and, in some cases, seriously anti-competitive consequences for units trying to negotiate acceptance of such offers. Making FACTA review discretionary allows the Provost to invoke the assistance of FACTA in any case that does appear problematic, while allowing most lateral cases to move more expeditiously to final approval.

2. To Clarify the Relevance of Department/College Standards by Reference to Faculty Handbook. The proposed change substitutes the exact language from the University Criteria for Tenure Appointments: “excellence in carrying out the responsibilities of the position, and unusual promise for continued achievement.”

This language is considered superior to the original (“excellence in scholarship, teaching and public service at a level warranting appointment to tenure at Cornell”) for several reasons:

- a) It is the binding statement of the University about the tenure standard, of which faculty are on notice from its publication in the Faculty Handbook.
- b) In referring to the responsibilities of the position, it references the standards and expectations of the department and college or school. Because more information about the relationship between those standards and the general criterion of excellence is found in Section 2.3 of the Handbook, that Section is now expressly cited.
- c) This formulation, unlike the original, can encompass extension on its own terms.
- d) This formulation explicitly focuses on future promise as well as accomplishments to date.

3. To Make Explicit FACTA’s Ability To Comment on Problematic Unit Standards.

The proposed addition makes clear that if, in reviewing an individual case, FACTA perceives a problem not with whether the candidate met the unit’s standards and expectations, but rather with the quality of those standards and expectations themselves, it has the power to alert the Provost so that this problem can be addressed at the institutional level.

4. Clarification of FACTA’s Role in Determining Sufficiency of the File. The additions in the first part of the first sentence under “Procedure” are intended to reaffirm that FACTA examines the decisional process used by the college or school, to determine whether the assembled materials are sufficient to support the recommendation for tenure.