

To: William Fry, Dean of the University Faculty
Members of the Faculty Senate Committee on Academic Freedom and the Professional Status of the Faculty

From: L. Joseph Thomas, Dean, Johnson School
Mark W. Nelson, Eleanora and George Landew Professor of Management

Re: Proposal for modification of Cornell By-laws relevant to tenure clock

Date: January 3, 2011

Proposal:

The Johnson School Faculty wishes to seek trustee approval of a modification of Article XVI(2)(c) of the Bylaws of Cornell University, which states:

Assistant Professor – shall be appointed by the President for a term not to exceed four years. The maximum period of service for assistant professors with term appointments shall be six academic years of full-time equivalent service, continued only for reasons which, in the judgment of the President, are temporary.

The proposed modification would extend the maximum period of service for assistant professors with term appointments from six years to eight years. The net effect of this change would be to lengthen the probationary tenure period for junior faculty in the Johnson School. A special, and possibly unique, set of circumstances have made this change necessary for the Johnson School to compete effectively with its peer business schools and attract and retain the highest quality faculty. While this proposal is advanced by the Johnson School, it has the support of the Provost's Office. As we continue to advance this proposal, we are requesting the advice and input of the Faculty Senate Committee on Academic Freedom and the Professional Status of the Faculty.

Overview:

This document includes the following information:

- Description of the unusual set of key circumstances that have resulted in a need to modify the time-in-rank limitations for junior faculty in the Johnson School.
- Evidence supporting our concerns:
 - Results of a peer analysis indicating that 11 out of 14 other top business schools have longer tenure clocks than the Johnson School. Six of those 11 schools have longer tenure clocks than is standard at their university. Three recently lengthened their tenure clocks.
 - Our own recent struggles with faculty hiring and retention.
 - Recommendations by deans of peer business schools as part of the Johnson School's 2009 AACSB accreditation process that the Johnson School extend its tenure clock.

- Results of a vote by the Johnson School tenure-track faculty unanimously support moving to an eight-year clock.
- Discussion of why it is reasonable for the Johnson School's tenure clock to deviate from those used by other Cornell units.

Key Considerations:

The following factors are the basis for this proposal:

1. Unique MBA teaching pressures. Our students have the following demographic profile:

Residential MBA students

Average age: 27

Average work experience: 5 years

Executive MBA students (these programs were added in the past decade)

Average age: 36

Average work experience: 12 years

The significantly older age profile of Johnson students creates very high teaching expectations. These students typically self-finance their high tuitions, and are taking time away from their careers to obtain this education. They have sufficient business experience to understand whether they are receiving classroom material that is relevant and of high quality. They are challenging and impatient.

Meeting these high expectations is critical, because published rankings of MBA programs have grown in importance, created fierce competition for students and recruiters. These rankings heavily weight student data so MBA programs have responded to the rankings by placing increased emphasis on teaching, while still maintaining high research standards.

Yet, Ph.D. programs, from where our junior faculty are typically recruited, appropriately focus more on research than teaching. Post-docs are very rare in business schools, so rookie assistant professors often are younger than their MBA students, have little business experience, and have little teaching experience. Therefore, although all young faculty are expected to work hard in their early years to master teaching, the learning curve faced by junior faculty in business schools is extraordinarily steep.

2. Maintained research pressures: The unusual teaching requirements of an MBA program typically take a disproportionate amount of time and energy during the first few years of a rookie faculty member's Cornell career. Yet, research expectations appropriately have not diminished, and the length of time involved in the publication process has, if anything, increased, with research projects taking several years from inception to publication. Because of the lack of post docs in business-school disciplines, rookies often have little research published or under review when they start their tenure clock. They therefore have only a few years in which to generate a sufficient publication record, and any false steps under the current tenure clock are extremely costly.

3. Competitive disadvantage due to peer business schools using longer tenure clocks to deal with this problem: The attached table summarizes the results of a peer analysis of the tenure clocks at 14 top business schools (including the “Top 10” schools as rated by Business Week as well as some other close peers). The highlights are as follows:

Business School Tenure Clocks: Eleven of fourteen schools have a longer tenure clock than the Johnson School, including three schools that recently lengthened their tenure clocks. Three schools have the same tenure clock as the Johnson School, including one school that is considering whether to lengthen its tenure clock.

Comparison of Business School and University Tenure Clocks: Six of fourteen business schools have longer tenure clocks than the home university. Thus, it is relatively commonplace for business schools to have longer tenure clocks than is typical at their home universities.

Overall, this date indicate that most of our peer schools have adapted to these circumstances by adopting a longer tenure clock. Some are at universities that have longer general tenure clocks; others are at universities that have general six-year clocks but have authorized longer tenure clocks for their business schools.

Combined Effects: Thus, the Johnson School faces a situation where unavoidable but uniquely high teaching pressures slow early research output, such that research output is slower to manifest itself in terms of peer-reviewed publications. Current and prospective junior faculty members understand all of this, and understand that Johnson School competitors typically offer longer tenure clocks in which to meet the teaching and research hurdles necessary for promotion. As a result:

- (1) Some potential hires do not accept our job offers because they find longer tenure clocks more attractive.
- (2) Assistant professors that we hire under our short clock consider accepting an offer from another school of comparable status after a few years. The other schools offer a clock reset or a longer clock to generate publications before facing the tenure decision. Those schools are very happy that we have trained their new hire to teach well, and that we have helped their new hire develop a strong research agenda that will come to fruition there.
- (3) Given the potential high cost of a type I error (granting tenure to a person who subsequently fails to live up to research expectations), the Johnson School may tend to commit type II errors (denying tenure to those who subsequently prove to be good scholars despite their relatively slow start in publications), losing strong faculty and having to incur additional search and training costs.

Additional Evidence:

Peer business schools face the same competitive environment as the Johnson School, so the fact that they have responded to these pressures by tending to utilize a longer tenure clock argues for the Johnson School to do the same. In addition, we also have evidence from the

Johnson School's recent hiring and retention experience, from our recent AACSB accreditation process, and from our own faculty's deliberations and vote.

Johnson School Hiring and Retention:

- (1) Over the past five years, the School has made 24 offers at the beginning assistant professor level; of those 24, 11 were accepted. Of the 13 who rejected offers from the Johnson School, six went to schools with longer tenure clocks, and six of the other seven went to industry or to schools that have lower research expectations that make it more likely to succeed on a tenure clock of the same length as ours. Virtually all applicants voiced concern about the length of the Johnson School's tenure clock.
- (2) Over the past five years, several faculty members have left prior to going up for tenure who we believe had a reasonable likelihood of achieving tenure. Two of these faculty indicated that one motivation for leaving was concern that our short tenure clock left them vulnerable to a few bad draws at journals. We very much wanted to keep these faculty members. One received tenure when he left (at the University of Iowa); the other was more junior so simply restarted his tenure clock.
- (3) The faculty of the Johnson School is appropriately unwilling to grant tenure when there is too much uncertainty about the success of an assistant professor's scholarship. Unfortunately, that means that some junior faculty who go up for tenure may not receive tenure because our short tenure clock has not allowed enough time for their records to provide the level of certainty necessary for promotion. We believe that two of three negative decisions occurring in the last five years fall in this category (one of these faculty is tenured and now a "star" at Michigan; the other decision is too recent to be sure of outcome).

AACSB Recommendations: Concerns about the Johnson School's short tenure clock were indicated by Deans of peer institutions who evaluated the Johnson School as part of its 2009 AACSB re-accreditation. Specifically, Deans from the business schools at Duke, Virginia and Vanderbilt made the following recommendation:

II. Identification of Areas That Should Be Addressed Prior to Next Maintenance Review
The 6-year tenure clock, expected research level and teaching load requirements for junior tenure track faculty create a level of tension, which is negatively impacting their research output. Rather than reaching for the highly impactful research, the junior faculty may lean to quantity of production during the 5-year review cycle. Often academic business journals have very long cycle time for review, resubmit and publication, which sometimes inhibits the granting of tenure. A longer tenure track clock of at least 7 years should be considered and adopted. It should be noted that the tenure clocks of all of the visiting AACSB Team graduate schools of business utilize 7-year tenure clocks. The tenure clock for Emory and Tuck (Dartmouth) is 7 years, UNC Kenan Flager and Indiana Kelly School of Business are 6 years, University of Chicago Booth is 8 years, and Yale School of Business is 9 years.

Faculty Vote: The Johnson School's faculty discussed and voted on the proposal to move to an eight-year clock at a December 4, 2009 faculty meeting. Further highlighting the need for this change, support for the proposal to extend the Johnson School's tenure clock to eight years was unanimous. Forty-five out of forty-five tenure-track faculty members voted (11 junior faculty; 34 tenured faculty), and all voted in favor of the proposal.

Appropriate limitations on the scope of the proposed amendment.

As described above, the proposed change in the time-in-rank limitations for junior faculty at the Johnson School is necessary to allow the School to compete effectively with its peers in the hiring, retention and accurate substantive evaluation of such faculty members. The prevalence of this practice at peer institutions, along with the unanimous support the proposal has received from the Johnson School faculty, are clear indications that the change will be positive from the perspective of the School. However, there is a valid concern that allowing the Johnson School to deviate from the university's standard six year clock may have negative consequences elsewhere on campus. Specifically, the proposal must address the concern that this change may create similar claims elsewhere, possibly resulting in a chaotic disintegration of the tenure clock, with similar disciplines on campus having different time periods for evaluation.

This concern was discussed extensively with the deans of the other units and with the Provost's Office. As a result, the Provost's support of this proposal is based on the fact that the proposal complies with important and highly limiting criteria. These criteria create a test against which any other proposal would be evaluated, and collectively they suggest that further exceptions are unlikely.

The limiting criteria discussed by the Provost's Office include the following:

Unusual circumstances particular to the unit that render the general time frame problematic. Because the university's standard clock has functioned well, any deviations from that clock need to be based on unusual features within that unit that undermine the accurate functioning of the tenure process. At the Johnson School, the decidedly older nature of the student population, with its corresponding demand that new instructors develop effective teaching skills even faster than normal, creates a strong conflict with instructors' obligations for scholarship.

Demonstrable competitive disadvantage of the existing requirements. This change, and any that were to follow, need to demonstrate that the current system creates clear and demonstrable impairments of a unit's ability to function relative to its peers. The Johnson School has shown this through the specific issues it has had with individual junior faculty, the feedback provided in the AACSB accreditation process, and the evidence that a clear majority of peer business schools have responded to the particular challenges of their competitive environment by adopting a longer clock than that of the Johnson School.

Problem relates to the unit as a whole rather than a particular subset of the faculty. The Provost is concerned about situations in which the above issues may apply to some faculty groupings within a unit, but not others. Creating different clocks in such situations would be confusing and likely to generate equity issues relating to tenure decisions. For example, there are "business school type" faculty embedded in some other departments on campus, but these departments also include other kinds of faculty. However, in this case the issues apply to the Johnson School as a whole. All faculty in the Johnson School face the high MBA teaching and publication pressures, and all are likely to have opportunities at peer schools

that offer longer tenure clocks. Therefore, these concerns apply uniformly throughout the School.

Lack of other options. The Johnson School lacks the options some units have to help faculty develop either teaching or research prior to the start of the tenure clock. One might argue that the Johnson School should deal with these pressures by utilizing other mechanisms, like teaching-release time to allow more time to prepare, and post docs to allow research records to mature. However, budget pressures render it infeasible to hire faculty and not have them teach, and the atypical nature of post docs in business schools make post docs less attractive from a recruiting perspective when competing with schools which simply offer a longer tenure clock. We could hire only experienced faculty, but the market for those faculty is very competitive, and they are difficult to move, so we believe some hiring at the rookie level is necessary.

The Provost has reviewed this proposal and concluded that it meets these proposed limiting criteria.

Peer Comparison¹

School	Length of tenure clock in business school	Length of tenure clock in university	How does tenure clock at business school compare to the university?	Considering lengthening business school tenure clock?	How does current tenure clock at business school compare to Cornell's business school?
Johnson	6	6	Same	Yes	
Northwestern	7	6	Longer	Recently lengthened	Longer
Chicago	9	6 or 7	Longer		Longer
Harvard	9	Varies by School; 7 in A&S	Longer		Longer
Stanford	7	7	Same	Yes	Longer
Wharton (Penn)	6	6	Same	Yes	Same
MIT	7	7	Same		Longer
Columbia	7	7	Same		Same
Michigan	7	Varies by School (6 or 7)	Same or Longer		Longer
Fuqua (Duke)	7	7	Same		Longer
Tuck (Dartmouth)	7	6	Longer	Recently lengthened	Longer
Darden (UVA)	6	6	Same		Same
Berkeley	6	6	Same		Same
Yale	9	9	Same		Longer
Stern (NYU)	8	6	Longer	Recently lengthened	Longer

¹ Note: Peers include the top 10 business schools in Business Week's most recent ranking and some additional key competitors.