DATE: August 7, 2019
FROM: Eric J. Barron
TO: Nicholas J. Rowland

I have reviewed the Advisory and Consultative report, Revision to AC-21 “Definition of Academic Ranks (Focusing on Internal Ranks),” which was passed by the University Faculty Senate on March 12, 2019. I concur with the following report. By copy of this memo, I am asking that Kathleen J. Bieschke, Vice Provost for Faculty Affairs, implement the recommendation.

Thank you for the opportunity to review this item.

cc: Kathleen J. Bieschke
    Dawn Blasko
    Nicholas P. Jones
June 13, 2019

Eric Barron, President
201 Old Main
University Park, PA  16802

Dear President Barron:

The University Faculty Senate, at its March 12, 2019 meeting, passed the following Advisory and Consultative report:

**Revision to AC-21 Definition of Academic Ranks** (*Focusing on Internal Ranks*)

Attached to this letter are the report from the Senate Agenda and the comments from the Senate meeting. We forward these recommendations to you for your approval and implementation.

Sincerely,

Michael F Bérubé, Immediate Past Chair
University Faculty Senate

ENCLOSURE
The next reports are from Faculty Affairs and Intra-University Relations. The first is “Revision to AC21, Definition of Academic Ranks, Focusing on Internal Ranks”. It's your Appendix H. Faculty Affairs Chair, John Nousek, and Intra-University Relations Chair, Rose Petrilla, will present the report and respond to questions. John.

**John Nousek, Science**: Hello. So, I'm representing Faculty Affairs, and Rose is representing IRC. So those of you who've been on the Senate are probably well aware that for the past several years, the AC21 has undergone extensive revision, especially under the leadership of our current chair Michael Bérubé, and our incoming chair Nicholas Roland.

But in the process of making those revisions, our experience has detected some flaws in the wording of what exists. And so, we actually were charged with addressing one issue at the beginning of the year. But as we carefully read AC-21 and as experience was reported to us, we actually made three sets of suggested revisions.

One of those was stopped at the Council-level but will probably be resubmitted.

**Chair Bérubé**: You'll see it.

**John Nousek**: And you'll see it again at the next meeting. But I have two to bring forward today. So, the first one that I'd like to bring forward-- how do we do it with the text? Do I Show the text, or just describe it?

**Chair Bérubé**: Do we have it? Oh. It's easier to see. Because it doesn't actually involve changing words. It involves moving them.

**John Nousek**: Yeah. That's correct.

**Chair Bérubé**: But moving them in a strategic way.

**John Nousek**: Right. Yes. This is the first one. So, as it says, the current version of AC21 is ambiguous. If you go to the bottom, the part that struck out-- you have to keep going. The very last text. It's Number 6.

The wording that currently exist was inserted at the very end of this AC21 revision process. Some units objected to the names that were being applied to the different ranks. And in a sort of quick modification at the end, this step six was added.
It was intended to only apply to the names in these units. But it has been read to say that the entirety of AC21 does not apply to these units. And so, the need is to change the wording to make it clearer that the flexibility is only intended for the naming.

And so, if you scroll up and see the boldface, which is not very large-- as Michael said, mostly this is just a matter of moving around the words and making it very clear the scope to which they pertain. You can see that in the University Libraries, the College of Medicine, Dickinson Law, and Penn State law, that the names-- and this is largely having to do with the comparison of names for Tenure-Line and Non-Tenure Line Faculty.

And so, the intent of the legislation is to make it so that these units are able to follow their own naming conventions, but they still have to follow the structure of AC21. And so that's the intent of what's going on. Rose, do you want to add anything?

Rose Petrilla, Hazleton: No.

John Nousek: OK. So, I think that's a summary of what this is about.

Chair Bérubé: Yeah, that's it. And it was very much-- you're right. And I would put the blame squarely on myself. But those revisions came in very late. And we thought we could fix that by just sticking on a clause six that says, “Okay. These units are exempt from this. Not from the entire thing, but from the nomenclature.” What we have now is if these things are defined in policies internal to the units. So, we're still not messing with the units with regard to what they call their Fixed-Term Faculty. We just want to make sure that they're incorporated to the document. Are there any questions about that? I'll defer to John and Rose.

Seeing none, I'll say the usual words. The report is brought to the floor by committee. Needs no second. And if we're ready to vote. To accept this motion, A. To reject it, B.

Anna Butler: Poll Everywhere, I have 22 accept.

Paula Brown: In house, we have 120 accepts, four rejects.

Chair Bérubé: Motion carries. The report will be forwarded to President Barron for his action.
SENATE COMMITTEES ON FACULTY AFFAIRS AND
INTRA-UNIVERSITY RELATIONS

Revision to AC-21 Definition of Academic Ranks (Focusing on Internal Ranks)

(Advisory/Consultative)

Implementation: Upon Approval by the President

Rationale
The current version of AC-21 “Definition of Academic Ranks” (formerly HR-21) is ambiguous as to the definition of rank for tenure-line and non-tenure-line faculty in the University Libraries, College of Medicine, Dickinson Law, and Penn State Law. Clarifying the use of internal policies for the purpose of defining rank in those units resolves this ambiguity.

Recommendation
The committees recommend that AC-21 “Definition of Academic Ranks” be modified in the following way:

Please note that strikeouts indicating deleted text and additions appear in bold.

…

F. Ranks for faculty in the University Libraries [Add] College of Medicine, Dickinson Law, and Penn State Law [End Add]

Ranks for [Add] non-tenure-line faculty in the University Libraries, College of Medicine, Dickinson Law, and Penn State Law are defined in policies internal to the units. Ranks for tenure-line faculty in the University Libraries are defined in policies internal to the unit. [End Add] [Delete] Faculty in the University Libraries are defined in internal University Libraries policies UL-HRG07 Promotion and Tenure Criteria (for tenure-line ranks) and UL-HRG16 Promotion of Full Time, Non-Tenure Track Faculty (for fixed-term ranks). [End Delete]

…

FIXED-TERM RANKS and PROMOTION PROCEDURES:
Fixed-term ranks and titles should follow the guidelines set forth above for teaching, research, and clinical faculty, as well as [Add] non-tenure-line faculty in University Libraries, College of Medicine, Dickinson Law, and Penn State Law [End Add] [Delete] librarians [End Delete]. Units should have clear rationales for the different ranks and titles they choose to use and their expectations for faculty to achieve these various ranks.

Rather than use the titles "lecturer" and "instructor" interchangeably for fixed-term appointments, each college should determine for itself which of the two titles it chooses to use, and then use that title consistently for such appointments.
Colleges should have their own guidelines for distinguishing between lecturer/instructor, assistant/associate/full professor positions for designating a third rank beyond that of lecturer or for promoting from one rank to the other, but all units should operate under the following University assumptions:

1. Although there can be exceptions, positions above the first rank are designed to be promotion opportunities, with a recommended period of at least five years in rank as an instructor or lecturer (or, for fixed-term and standing faculty without tenure who hold terminal degrees, assistant teaching/research/clinical professors) before consideration for promotion. Fixed-Term and Standing non-tenure-line faculty should become eligible for promotion to the second rank after five years in rank, and would be permitted to compile their promotion dossiers in their fifth year. There should be no fixed time period for promotion to the third rank. Reviews for promotions should be conducted solely with regard to the merit of the candidate.

2. Reviews for promotion of the full-time fixed-term and standing non-tenure-line faculty shall be conducted by Non-Tenure-Line Promotion Review Committees. Non-Tenure-Line Promotion Review Committees shall be constituted as follows: each of the colleges at University Park shall establish a committee for that college; each of the five stand-alone campuses (Abington, Altoona, Behrend, Berks, Harrisburg) shall establish a committee for that campus; each of the Special Mission Campuses (Great Valley, College of Medicine, and Dickinson Law) shall establish a committee for that campus; and the University College shall establish one committee composed of full-time fixed-term and standing non-tenure-line faculty from the campuses within the University College, with no more than one member from any campus. If a unit shall have fewer than seven full-time fixed-term and standing non-tenure-line faculty members, at least two members of that unit's Non-Tenure-Line Promotion Review Committee shall be drawn from another unit's Non-Tenure-Line Promotion Review Committee. Only full-time fixed-term and standing non-tenure-line faculty members in each unit are eligible to serve on and to vote for the members of the review committee in their unit. Only faculty of higher rank than the candidate should make recommendations about promotions. If there should be insufficient numbers of higher-ranked fixed-term and standing non-tenure-line faculty, exceptions to this provision may be permitted by the Executive Vice President and Provost at the request of the academic unit.

3. The promotion procedure itself should include recommendations by both a campus/department faculty committee, (b) the DAA or department/division head, and (c) the approval of the campus chancellor and/or dean of the college.

4. All promotions should be accompanied by a promotion raise, in addition to a merit raise, to be determined and funded by the college.

5. Faculty members who are promoted shall be considered for a multi-year contract. If a multi-year contract is not granted, then factors that shaped this decision shall be communicated to the fixed-term faculty member at the time when a new contract is offered.
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Recommendation
The committees recommend that AC-21 “Definition of Academic Ranks” be modified in the following way:

...

F. Ranks for faculty in the University Libraries, College of Medicine, Dickinson Law, and Penn State Law

Ranks for non-tenure-line faculty in the University Libraries, College of Medicine, Dickinson Law, and Penn State Law are defined in policies internal to the units. Ranks for tenure-line faculty in the University Libraries are defined in policies internal to the unit.

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FIXED-TERM RANKS and PROMOTION PROCEDURES:
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