TITLES

According to the bylaws of the university, the “…functions of the University Faculty shall be to consider questions of educational policy which concern more than one college, school or separate academic unit, or are general in nature…”

Responsibility of: Committee on Academic Freedom and Professional Status. The Committee considers matters relating to academic freedom and responsibility; freedom of teaching and learning; professional status of the faculty, including policies and procedures relevant to faculty appointments, promotion, retirement, separation, and tenure; and receives and reviews written complaints brought by or against a faculty member when other specific procedures have not been designated for hearing those grievances. It reports to the Faculty Senate.

February 14, 2001, Records, pp. 9080-82S, Appendix A

At the February 2001 meeting, the Chair of the Task Force on Professorial Titles, Professor William Fry, Plant Pathology, gave a progress report of items the committee is looking into. Because any proposed additions to the current professorial titles and roles will surely be of deep interest to the entire faculty and likely to have long-term implications for the university, the Task Force should:

1. Consult with the deans, faculty, and the Faculty Committee on Academic Freedom and Professional Status of the Faculty;
2. Review the current professorial titles and their history in the context of tenure;
3. Formulate recommendations and engage the community in dialogue, e.g. a University Faculty Forum early during the spring 2001 semester; and bring recommendations to the Faculty Senate for debate at its March 2001 meeting so that any changes endorsed by the Senate might be considered by the Board of Trustees in May 2001.

SEE CLINICAL PROFESSOR AND SENIOR PROFESSOR TITLES BELOW.
At the February 2002 meeting, Professor Alan Bell, Animal Science, and Chair, Task Force on Professorial Titles, introduced the preliminary discussion on creation of a new (non-tenure-track) professorial title – clinical professor.

The Task Force was appointed by the Dean of Faculty in October 2000 and met frequently through the academic year 2000-01. Its formation was stimulated by enquiries from several college deans about the possibility of non-tenure-track professorial titles at Cornell, and ensuing discussions between the deans and a small ad hoc committee appointed by the Dean of Faculty. The deans’ suggestions included professorial titles without indefinite tenure, but with a defined single function such as teaching, clinical practice, or scholarship and research. The additional question of a title that would recognize the professional identity of retiring professors who wish to remain active was also raised.

Members of the Task Force are:

- Lynne Abel, Associate Dean, College of Arts and Sciences
- Alan Bell, Chair, Animal Science
- Abigail Cohn, Chair, Linguistics
- W. Donald Cooke, Professor Emeritus, Chemistry and Chemical Biology
- Stuart Davis, Senior Lecturer, Department of English
- William Fry, Professor, Plant Pathology (Task Force chair)
- Robert Gilbert, Associate Dean, College of Veterinary Medicine
- Jere Haas, Director, Division of Nutritional Sciences
- Michael Kotlikoff, Chair, Biomedical Sciences
- Stephen Mutkoski, Professor, School of Hotel Administration
- Danuta Shanzer, Professor and DGS, Department of Classics
- John Siliciano, Vice Dean, Law School
- Robert Smith, Associate Dean, School of Industrial and Labor Relations
- Charles Walcott, Associate Dean, University Faculty
- Charles Williamson, Professor, Mechanical & Aerospace Engineering
Because any proposed additions to the current professorial titles and roles will surely be of deep interest to the entire faculty and likely to have long-term implications for the university, the Task Force should:

1. Consult with the deans, faculty, and the Faculty Committee on Academic Freedom and Professional Status of the Faculty;

2. Review the current professorial titles and their history in the context of tenure;

3. Formulate recommendations and engage the community in dialogue, e.g. a University Faculty Forum during the spring 2001 semester; and

4. Bring recommendations to the Faculty Senate for debate at its March 2001 meeting so that any changes endorsed by the Senate might be considered by the Board of Trustees in May 2001.

During the period November 2000 – May 2001, the Task Force met every 2-4 weeks. Existing professorial and other academic titles were reviewed and examples of current flexibility were noted. Implications of adding new professorial titles for existing academic, non-tenure-track titles were discussed. It was decided that further consideration of this important issue should be deferred until specific proposals for new professorial titles were developed. The full Task Force then chose to focus on the titles “Clinical Professor” and “Research Professor”, each of which recently had been suggested by several colleges.

A subcommittee, chaired by Professor W.D. Cooke, worked separately on the title “Senior Professor” during the spring of 2001. Its central concern was the documented graying of our faculty. It aimed to formulate a title that would allow senior faculty with considerable service to retain their professional identity, teach part-time without giving up tenure, and thereby free up university resources to hire younger faculty. Professor Cooke regularly reported to the full committee on the progress of his subcommittee. The subcommittee presented its findings to the Senate on April 11, 2001. Professor Danuta Shanzer took over as Chair of the subcommittee at the end of the spring term. Despite considerable effort and some progress, the subcommittee was discharged by the Dean of Faculty in October 2001. The Benefits Office seemed resistant to exploring changes necessary to implement the proposed title successfully and the central administration seemed uncommitted to the idea. However, a recent revival of interest shown by the Office of Planning and Budget suggests that the subcommittee may need to be reactivated.

A general proposal for a framework to offer the option of new professorial titles available on a college-by-college basis was developed, with the leadership of Professor
More specific proposals for the establishment of the titles of Clinical Professor and Research Professor were developed, with the leadership of Professors Gilbert and Kotlikoff, respectively. Deadlines for faculty discussion in the Senate and elsewhere during spring 2001 were missed because of the Task Force’s decision to proceed deliberately, and to not bring a proposal to the whole faculty before it had been thoroughly considered and endorsed by at least one college. Because of the prior interest and expressed need for the Clinical Professor and Research Professor titles by the administration and some faculty in the College of Veterinary Medicine (CVM), Task Force activities were suspended during summer and early fall 2001 until CVM faculty had reviewed and voted on proposals for these titles.

After lengthy discussion during fall 2001, CVM faculty decided to defer consideration of the Research Professor title until after they had reviewed and voted on the Clinical Professor proposal. In early December 2001, they voted in favor of the latter. This led to reactivation of the Task Force and the decision to proceed with bringing the proposed enabling legislation and the specific Clinical Professor proposal before the whole faculty.

The Task Force has proceeded deliberately and painstakingly with development of the Enabling Legislation document, understanding that it will require very careful consideration by the entire faculty. There is a strong consensus among Task Force members that this legislation is important for certain colleges to advance their competitiveness and to offer improved opportunities for career advancement of their non-tenure-track faculty.

Professor Abigail Cohn, Linguistics, and member of the Task Force, said the central question that the Task Force has addressed is: “Is Cornell’s set of available academic titles adequate?” Specifically, is the set of long-term non-tenure-track appointments adequate? The areas of inequity are:

1. The clinical sphere: individuals carrying out essential teaching and service functions in a clinical setting (found primarily in the professional colleges), typically in (senior) lecturer positions.

2. The research sphere: individuals carrying out certain research functions (usually on soft money, primarily in the laboratory sciences), typically in (senior) research associate positions.

The problems:

• 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 individuals serving these functions are ad hoc, leaving both the individuals and the institution vulnerable.

• Serious competitive disadvantage for Cornell in trying to attract and retain the most qualified individuals; our strongest peer institutions make use of a richer array of job categories.

• Individuals in these roles at Cornell find themselves at a disadvantage when competing for external funding resources.

Appropriate career paths that have the potential to be long term and that include clear guidelines for hiring and promotion, as well as grievance procedures are needed in the clinical sphere only.

Enabling legislation should be made available on a college-by-college basis for use of the titles Clinical Professor, Associate Clinical Professor, and Assistant Clinical Professor.

If the proposed enabling legislation is approved by the Faculty Senate, the following steps would be involved:

• Background and justification for the proposed new title(s)
• Description of the positions that will bear the title(s)
• A summary of the terms on which candidates will be appointed and reappointed to those positions. These should include; the nature of the search by which applications will be elicited; the credentials considered appropriate for holding those positions; the levels (department, college, university) at which approval for individual appointments is necessary; the length of appointments; the possibilities open to appointees for movement between non-tenure-track and tenure-track paths; and procedures for renewal and promotion open to appointees.
• A statement restricting the creation of positions in the proposed title(s) not to exceed a certain percentage of the tenured and tenure-track faculty of the proposing college.
• A statement of the rights and responsibilities of appointees in the proposed title(s), including their voting status in departments and colleges.
• An appraisal of the impact of creating the new positions on existing non-tenure-track academic titles and their holders. This appraisal should indicate whether and in what ways current holders will be eligible for appointment to the new positions and whether their current positions will be protected against elimination by the new positions.
In conclusion, Professor Cohn said the Task Force has worked in parallel with the Veterinary College where such a proposal was already in an incipient stage and endorses it for implementation of these titles.

Professor Michael Kotlikoff, Biomedical Sciences, and member of the Task Force, summarized the process the Veterinary College has gone through:

1. Development of a proposal by a faculty committee over a two-year timeframe.
2. Meetings to discuss the proposal with every department in the Veterinary College.
3. Meeting with the Faculty General Committee.
4. Consideration of the proposal at a faculty meeting and development of appropriate rules (vote not to be held at a faculty meeting but ballot to be sent by General Committee to all faculty).
5. Two College “Town Meetings”.
6. Faculty meeting devoted to discussion prior to vote.

The results of the vote by tenured faculty were 52 in favor, 30 opposed, and one abstention.

He also outlined the problems:

- Competitiveness: 19 of 26 Veterinary Colleges have Clinical Professors
- Fairness:
  a. Individuals in tenure-track with clinical responsibilities in excess of 50%.
  b. Appropriate recognition of individuals whose passion and interest is clinical work and whose expertise (and value to the College) requires a major commitment of time to the development and maintenance of clinical skills.
- Facts of Life: Expansion of medicine, tenure lines fixed.

The Veterinary College has had a vigorous and extensive discussion of the proposal. Many faculty opposed the proposal and argued that it would negatively impact their Department and/or the College. In the end, these arguments were not persuasive to a majority of their colleagues.
Therefore, the relevant issue for consideration by the Faculty Senate should be not whether the proposal is beneficial for the Veterinary College, but whether individual colleges should be enabled to utilize the Clinical Professor title under the described guidelines, or otherwise stated, whether such a proposal or title in some way violates core principles of the University.

Professor Kotlikoff stated the summary argument in support of the proposal:

1. The current range of titles may not serve the best interests of all colleges at Cornell. These colleges may determine that expansion of professional titles to include non-tenured Clinical Professors would enhance their competitiveness and would be more fair.

2. The proposal does not undermine fundamental principles of the academy and will not negatively impact colleges that do not wish to make use of the titles.

3. The proposal will result in more consistent policies relative to tenure within the college and therefore within the University.

The floor was opened for discussion. Many comments and questions were voiced, both pro and con.

In March 2002, Professor Bell outlined the arguments for and against creation of a new Clinical Professor title to be implemented on a college-by-college basis:

**Arguments for:**

1. Highly accomplished non-tenure-track appointees would have significantly improved and regularized terms of appointment, and greater opportunities for professional recognition and advancement.
2. Better employment conditions and status would improve recruitment and retention of clinical professionals of the highest quality.
3. The number of tenure-track positions at Cornell will not increase appreciably in the foreseeable future, but demands for clinical service and teaching of the highest quality continue to increase.
4. The cap on fraction of total faculty within a department that can be non-tenure-track, together with close monitoring of administrative practices for faculty hiring, is intended to allay fears of substitution of non-tenure-track for tenure-track professors.

**Arguments against:**
1. The tenure system will be weakened because administrators cannot be trusted to adhere to proposed guidelines for maintaining appropriate balance between the number of tenure-track and non-tenure-track appointments.
2. All clinical professorial positions should be tenure-track and the value of functions other than research should be formally enhanced.
3. The distinction between responsibilities and expectations of non-tenure-track versus tenure-track professors is unclear and would be unfair to non-tenure-track appointees.
4. Adoption of the proposal would lead to exacerbation of existing gender inequities by increasing the opportunity to appoint women to non-tenure-track positions.

Professor Bud Tennant, Clinical Sciences, presented graphs showing that the tenure-track faculties in his department are projected to rise 10% between now and 2004, and that the non-tenure-track (lecturers and clinical track faculty) would increase just short of 700%. This is a tenure issue of substantial proportions.

Professor Vicki Meyers-Wallen, Biomedical Sciences, said the central question is: What other differences such as presence or absence of scholarship would justify classification into a non-tenure rather than a tenure-track position? She thinks it would be unfair to give it to people who have not gone trough the same process, and who have not met the same standards.

Professor Bell, at the April 2002 meeting, circulated a document from the Task Force which distilled the main points made at the Faculty Senate meetings and at the Faculty Forum on this topic:

**Aims and Arguments for:**

- To redress an inadequacy in our current range of available titles by adding a non-tenure-track, Clinical Professorial title.
- To more adequately recognize and reward the status, qualifications, and activities of such faculty members.
- To improve recruitment and retention of such faculty members.
- If appropriate and possible, to enable reclassification of competitive candidates who are currently doing such work *de facto*, while employed as Lecturers or Senior Lecturers.

**Objections and Arguments against:**

- All teaching staff should have academic freedom as well as job-security.
• This is the “thin end of wedge” that ultimately may erode the tenure system. It provides the financial flexibility to permit administrators increasingly to substitute at will untenured for tenurable or tenured faculty members.

• The Clinical Professor title is an artificial inflation of the Lecturer title.

• There is a need for more carefully articulated distinctions between what is expected of tenure-track faculty and what is expected of non-tenure-track faculty.

• Creating the title would contribute to gender inequity. Holders of such titles could create a “pink collar ghetto”.

Further Clarifications

Whereas in an ideal world all teaching staff would be tenure-track, in the real world there are severe limitations on the number of indefinite term commitments universities can make. We live within a system where tenure is earned by and granted to those who compete for tenure-track positions in which they are expected to research, teach, and perform service. Provost Martin has publicly reaffirmed the expectation of a substantial research component for tenure-track Assistant, Associate, and full Professors. Those in largely single-function positions (primarily teaching, research, extension or administration) are not and have not historically been hired on tenure-track lines.

The Clinical Professor title and other non-tenure-track titles would be largely single function.

The appointments, duties, and rights of those holding the Clinical Professor title are intended to be distinct both from those of tenurable Professors and from those of Lecturers.

The Task Force wishes to emphasize that present consideration of the Senate should be confined to the Enabling Legislation.

A two-thirds majority vote of the tenure-track faculty in a given college would be preferable to the simply majority originally proposed to enable such titles to be used by the college. It is expected that the non-tenure-track vote would be recorded separately.

Once such legislation has been approved by the college faculty, it will be reviewed by CAPP and voted on by the Senate.

The Task Force expects to bring a formal document to the Faculty Senate for approval at the May 2002 meeting.
Professor Tony Simons, Hotel School, said he would like to see some form of quality control on Clinical Professors.

Professor David Pelletier, Nutritional Sciences, said the one sticking point is the possibility of erosion of the tenure system and the essence of academic freedom.

Other comments were made from the floor prior to adjournment.

At the May 2002 meeting, Professor Bell introduced the following enabling legislation for the Clinical Professor Title:

I. Preamble

The current range of available academic titles does not meet the needs of various colleges at Cornell that stand to benefit considerably from the creation of a new, primarily single-function, non-tenure-track Clinical Professor title. These colleges are currently experiencing difficulty both in recruiting and retaining faculty members who might bear such a title since, unlike many of their peer institutions, they have only the title of Lecturer or Senior Lecturer available. In addition, there are currently individuals in Lecturer positions who are, in effect, carrying out the functions of Clinical Professors without suitable acknowledgment of their status, qualifications, and activities or opportunity for career development.

In an ideal world, all teaching staff might be tenure-track. In the real world there are severe limitations on the number of indefinite term commitments universities can make. We live within a system where tenure is earned by and granted to those who compete for tenure-track positions in which they are expected to research, teach, and perform service. Provost Martin has publicly reaffirmed the expectations of a substantial research component for tenure-track Assistant, Associate and full Professors. Those in largely single-function positions (primarily teaching or research or outreach or administration) are not and have not historically been hired on tenure-track lines.

The creation and careful definition of the new title would enable fairer and more effective faculty hiring, retention, and in some special cases, reclassification. It is to be hoped that carefully and explicitly articulated distinctions between what is expected of tenure-track faculty and what is expected of non-tenure-track faculty would be beneficial to all concerned.

• Whereas, an inadequacy in the current range of available academic titles makes it desirable to create a new non-tenure-track Clinical Professor title, and
• Whereas, it is clearly important to recognize and reward the status, qualifications, and activities of those faculty members for whom such a title would be appropriate, and
• Whereas, units need to improve recruitment and retention of such faculty members, and
• Whereas, where appropriate and possible, units should be able to recategorize competitive candidates who are currently doing such work de facto, while employed as Lecturers or Senior Lecturers,

BE IT RESOLVED, THAT THIS ENABLING LEGISLATION BE ADOPTED.

II. Purpose of Enabling Legislation

The purpose of this legislation is to enable individual colleges and schools, in accordance with the process and requirements described below, to use the title of Clinical Professor in reference to a limited and defined group of long-term, non-tenure-track appointments. This title will be available for use at the Assistant, Associate and full Clinical Professor rank, modifiable by the terms “acting,” “adjunct,” “courtesy,” and “visiting.”

III. Limited Availability of Clinical Professor Title

The title of Clinical Professor is available only for long term, non-tenure-track faculty who serve an essential teaching function in a clinical setting. While faculty of this rank may, depending on specific requirements of the college or school, have additional research, service, or outreach obligations, teaching will be their primary responsibility. The title may not be used for positions whose responsibilities largely replicate those of tenure-track faculty. Similarly, the title is not meant as a wholesale replacement for the titles of faculty now employed as Lecturers or Senior Lecturers.

IV. Proposal Process

A college that wishes to use the title of Clinical Professor must take the following steps:

A. Sponsors must prepare a written proposal for use of the title in accordance with the requirements of sections V and VI, below.

B. The proposal must be approved, in separate votes, by two-thirds of the tenure-track faculty of the originating college or school and by two-thirds of the non-tenure-track faculty as defined under Article XIII of the University Bylaws, in neither case by fewer than half of those eligible to vote.
C. A proposal so approved will come before the University Committee on Academic Programs and Policies (CAPP) for review of its conformity to the requirements of section V and VI, below. After submission to CAPP, such a proposal will be distributed to University faculty and distributed to or electronically posted for other interested parties for a period of 60 days before action by CAPP in order to invite public comment.

D. At the end of the comment period, CAPP shall review the proposal in order to determine whether it complies with the requirements of this enabling legislation. In conducting such a review, the committee is not to substitute its judgment for that of the originating college or school as to the need for or wisdom of the college’s or school’s adoption of the Clinical Professor title.

E. If CAPP determines that the proposal meets the requirements of this enabling legislation, it will report the proposal to the Senate, which will approve or deny the proposal by a majority vote based on the Senate’s determination of whether the proposal complies with the requirements of this legislation. If CAPP determines that the proposal fails to meet the requirements of this legislation, it shall furnish a written explanation of this determination to the college or school submitting the proposal.

V. Proposed Contents

The written proposal of a college or school that seeks to use the title of Clinical Professor must include the following provisions.

A. Justification. A proposal for adoption of the Clinical Professor title shall include a statement offering justification for adoption of the title within the originating college or school and explaining why existing titles for non-tenure-track faculty are insufficient for staffing and recruitment. The practices of peer schools and the impact of available titles on recruitment efforts may be of particular relevance in this regard.

B. Description of Position. The proposal shall describe as precisely as possible the functions and responsibilities of positions bearing the title and the anticipated distribution of such positions within the college or school.

C. Terms of Appointment. The proposal shall include a summary of the terms on which candidates will be appointed and reappointed to such positions and promoted from one to another. These terms should include: the nature of the search by which applications will be elicited; the credentials required by holders of these positions; the levels (department, college, university) at which approval
for individual appointments is necessary; the length of appointments; the possibilities open to appointees for movement between non-tenure-track and tenure-track paths; and procedures for renewal and promotion open to appointees.

D. **Percentage Limitation.** The proposal shall include a statement restricting the creation of positions in the proposed titles to a certain percentage of the tenure-track faculty of the originating college and of the tenure-track faculty in those departments or programs where those positions are located.

E. **Voting and Other Rights.** The proposal shall define the rights and responsibilities of appointees in the proposed titles, including their voting status in their departments and colleges or schools, and their access to grievance and appeals processes available to tenure-track faculty.

F. **Impact Statement.** The proposal shall contain an appraisal of the impact of creating the new positions on existing tenure-track and non-tenure-track academic titles and their holders. This appraisal should indicate whether and in what ways current holders of non-tenure-track titles will be eligible for appointment to the new positions and whether their current positions will be protected against elimination by the new positions.

VI. Additional Restrictions on the Use of the Clinical Professor Title

In addition to satisfying the provisions of section V, all proposals for the use of such titles must satisfy the following requirements:

A. The functions of positions bearing Clinical Professorial titles may not replicate the full array of functions (e.g. teaching and research and service or outreach) served by tenure-track positions in the originating college or school. Proposals must indicate how the functions of positions as defined will differ from regular tenure-track positions.

B. Terms of positions bearing these titles shall normally be for three to five years and shall not exceed five years. Unless otherwise specified, they shall be renewable indefinitely. Holders of these titles whose appointments are not renewed must receive a full year’s appointment from date of notice of non-renewal.

C. Procedures for review, renewal and promotion of holders of these titles shall be comparable in rigor to those in tenure bearing positions. Appointment of faculty of this rank shall normally be the result of a national search.
D. The percentage of positions bearing the titles may not exceed 25% of the existing tenure-track faculty positions in the college or 25% of the tenure-track positions in those departments or programs where those positions are located.

E. Except by appointment of the holder to a new position bearing one of these titles or by resignation of the holder, no non-tenure-track faculty position may be eliminated solely as a result of creating such a new position for a function comparable to that filled by the old position.

BE IT FURTHER RESOLVED THAT

VII. Committee to Investigate the Status of Non-Tenure-track Faculty

A. The Faculty Senate directs the Dean of the Faculty to appoint a Task Force or task forces to investigate the status and conditions of employment of non-tenure-track faculty including their terms of employment, particularly job security, rights to academic freedom, access to appropriate grievance and appeals procedures, eligibility for sabbatic leave, eligibility for emeritus/a status, and voting rights.

B. The Senate is mindful that the Dean of the Faculty may determine that the present Task Force on Professorial Titles should continue to work on the issue of titles.

C. Any body or bodies appointed to study these issues will report to the Senate on the progress reached no later than the second Senate meeting of the Spring of 2003, but may report earlier, if any specific proposals are ready for action.

____________________________________________________

Trustee adoption of this proposal will require modification of University Bylaws as follows:

ARTICLE XIII: COLLEGE AND SCHOOL FACULTIES

Add “clinical professors, associate clinical professors, and assistant clinical professors” where appropriate, and make them contingent voters along with lecturers and senior lecturers.

ARTICLE XVI: THE INSTRUCTIONAL AND RESEARCH STAFF

Add “clinical professors, associate clinical professors, and assistant clinical professors” in section 1 and amend section 2.d to read
d. Senior scholar, senior scientist, senior research associate, senior extension associate, senior lecturer, and full, associate, and assistant clinical professor shall be appointed by the President for a term of not to exceed five years, renewable indefinitely.

A motion to divide the question was presented by Professor Risa Lieberwitz, ILR, and so approved. The division would occur before the “BE IT FURTHER RESOLVED THAT” immediately preceding VII.

On behalf of Professor Steven Shiffrin, Law, who could not be present, Professor Lieberwitz introduced the following amendment:

(additions underlined; deletions strikethrough)

Page 1, I. Preamble

The current range of available academic titles does not meet the needs of various colleges at Cornell that stand to benefit considerably from the creation of a new, primarily single-function, non-tenure-track Clinical Professor title. These colleges are currently experiencing difficulty both in recruiting and retaining faculty members who might bear such a title since, unlike many of their peer institutions, they have only the title of Lecturer or Senior Lecturer available. In addition, there are currently individuals in Lecturer positions who are, in effect, carrying out the functions of Clinical Professors without suitable acknowledgment of their status, qualifications, and activities or opportunity for career development.

In an ideal world, all teaching staff might be tenure-track. In the real world there are severe limitations on the number of indefinite term commitments universities can make. We live within a system where tenure is earned by and granted to those who compete for tenure-track positions in which they are expected to research, teach, and perform service. Provost Martin has publicly reaffirmed the expectations of a substantial research component for tenure-track Assistant, Associate and full Professors. Those in largely single-function positions (primarily teaching or research or outreach or administration) are not and have not historically been hired on tenure-track lines.

The creation and careful definition of the new title would enable fairer and more effective faculty hiring, retention, and, in some special cases, reclassification. It is to be hoped that carefully and explicitly articulated distinctions between what is expected of tenure-track faculty and what is expected of non-tenure-track faculty would be beneficial to all concerned.
Whereas, an inadequacy in the current range of available academic titles makes it desirable to create a new non-tenure-track Clinical Professorial title, and
Whereas, it is clearly important to recognize and reward the status, qualifications, and activities of those faculty members for whom such a title would be appropriate, and
Whereas, units need to improve recruitment and retention of such faculty members, and
Whereas, where appropriate and possible, units should be able to reclassify competitive candidates who are currently doing such work de facto, while employed as Lecturers or Senior Lecturers,

BE IT RESOLVED, THAT THIS ENABLING LEGISLATION BE ADOPTED.

On a vote call, the amendment carried.

A second amendment, introduced by Professor Kay Obendorf, Textiles and Apparel, follows:

(additions underlined; deletions strikethrough)

Page 2, IV. Proposal Process

B. The proposal must be approved, in separate votes, by two-thirds of the tenure-track faculty of the originating college or school and by two-thirds of the non-tenure-track faculty as defined under Article XIII of the University Bylaws, in neither case by fewer than half of those eligible to vote. Approval requires that affirmative votes be cast by at least two-thirds of the faculty of the originating college or school who are eligible to vote on this issue.

A further rewrite by the Task Force was also introduced:

IV-B

The proposal must be approved by at least two-thirds in each of two separate votes of tenure-track and non-tenure-track faculty (as defined under Article XIII of the University Bylaws) of the originating college or school, in neither case by fewer than half of those eligible to vote.
Much confusion and discussion followed. A motion was made to table everything and it was so approved.

At the September 2002 meeting, the Speaker, Professor Howard Howland, Neurobiology and Behavior, said originally he was going to ask for unanimous consent to make the motion the pending motion. But Professor Peter Stein, Physics, said that because the Senate is now in a new session and because more than one quarter of a year has elapsed, according to Robert’s Rules of Order, the body is not bound in this session by any action of the old session. The Committee has total freedom in bringing a new motion to the assembly, and the Speaker ruled that the motion to be presented, is in order. He asked for unanimous consent to proceed and received it. Professor Charles Walcott, Neurobiology and Behavior, moved the resolution and it was seconded. The motion was now on the floor.

Professor Alan Bell, Animal Science, and Chair of the Professorial Titles Task Force, said at the last meeting, it was voted to collapse the language in the Preamble. Then the body got seriously tangled up with language in item IV.B. A motion was passed to table the resolution. The Task Force then retreated, reconsidered, and produced a revised version. The changes include:

- Retention of the approved language in the Preamble
- Provision for modifiers “acting,” “adjunct,” “courtesy,” and “visiting” deleted from II
- Wording of IV.B further modified for clarity

Before considering these changes, Professor Bell asked the body to consider an amendment to VI.D. proposed by Professors Shiffrin and Lieberwitz.

Professor Steven Shiffrin, Law, moved the following amendment to VI.D., which was seconded:

additions underlined

VI.D. The percentage of positions bearing the titles may not exceed 25% of the existing tenure-track faculty positions in the college or 25% of the tenure-track positions in those departments or programs where those positions are located, except as herein provided. A higher percentage may be afforded if, but only if, the relevant college, department, or program makes an overpowering showing that: (1) there is a need for the higher percentage; (2) the Clinical Professor positions in question would not replicate the functions of positions ordinarily held by tenured or tenure-track faculty; and (3) any additional Clinical Professor positions in a department or program would not detract in any way from the
potential for adding tenured or tenure-track positions in that department or program.

Following discussion, both pro and con, the amendment was defeated.

Professor Bell then moved the Task Force’s rewording of IV.B.:

Item IV.B.

1. The proposal must be approved by at least two-thirds of those voting, by ballot, in separate votes, of tenure-track and non-tenure-track faculty respectively of the originating college or school (as defined under Article XIII of the University Bylaws). Further, those voting positively must represent at least half of the respective faculty group with voting rights on that issue.

The Speaker asked for unanimous consent to substitute this wording from the Task Force, since it wasn’t distributed with the call to the meeting. So approved.

Professor Shiffrin offered an amendment that would actually strike all of IV.B. Following discussion, his amendment was defeated.

The main motion was then debated. Professor Terrence Fine, Electrical and Computer Engineering, moved to divide off VII. from the rest of the motion. The motion passed. Discussion continued on the main motion, without section VII. [Note: See Committee on the Status of Non-Tenure-Track Faculty, p. 5640, formerly VII.]

Professor Ronald Booker, Neurobiology and Behavior, said it is important to remember that each school and college will have a chance to debate this issue on whether to have clinical faculty. Each school and college has a different need and those differences should be respected.

Dean Donald F. Smith, College of Veterinary Medicine, mentioned the merits of the motion as it relates to his college: (1) fairness to people who are involved in clinical teaching, clinical service, and clinical scholarship; (2) competitiveness with peers; and (3) strengthening of the tenure process.

On a vote call of sections I. through VI., there were 54 yes votes, 24 no votes, and 12 abstentions. The motion passed as follows:

Enabling Legislation for the Clinical Professor Title

I. Preamble
The current range of available academic titles does not meet the needs of various Colleges at Cornell that stand to benefit considerably from the creation of a new, primarily single-function, non-tenure-track Clinical Professor title. These Colleges are currently experiencing difficulty both in recruiting and retaining faculty members who might bear such a title since, unlike many of their peer institutions, they have only the title of Lecturer or Senior Lecturer available. In addition, there are currently individuals in Lecturer positions who are, in effect, carrying out the functions of Clinical Professors without suitable acknowledgment of their status, qualifications, and activities or opportunity for career development.

• Whereas an inadequacy in the current range of available academic titles makes it desirable to create a new non-tenure-track Clinical Professorial Title, and
• Whereas it is clearly important to recognize and reward the status, qualifications, and activities of those faculty members for whom such a title would be appropriate, and
• Whereas units need to improve recruitment and retention of such faculty-members, and
• Whereas, where appropriate and possible, units should be able to reclassify competitive candidates who are currently doing such work de facto, while employed as Lecturers or Senior Lecturers,

BE IT RESOLVED THAT THIS ENABLING LEGISLATION BE ADOPTED.

II. Purpose of Enabling Legislation

The purpose of this legislation is to enable individual colleges and schools, in accordance with the process and requirements described below, to use the title of Clinical Professor in reference to a limited and defined group of long-term, non-tenure-track appointments. This title will be available for use at the Assistant, Associate and Full Clinical Professor rank.

III. Limited Availability of Clinical Professor Title.

The title of Clinical Professor is available only for long term, non-tenure-track faculty who serve an essential teaching function in a clinical setting. While faculty of this rank may, depending on specific requirements of the college or school, have additional research, service, or outreach obligations, teaching will be their primary responsibility. The title may not be used for positions whose responsibilities largely replicate those of tenure-track faculty. Similarly, the title is not meant as a wholesale replacement for the titles of faculty now employed as Lecturers or Senior Lecturers.

IV. Proposal Process

A college that wishes to use the title of Clinical Professor must take the following steps:

A. Sponsors must prepare a written proposal for use of the title in accordance with the requirements of sections V and VI, below.
B. The proposal must be approved by at least two-thirds of those voting, by ballot, in separate votes, of tenure-track and of non-tenure-track faculty respectively of the originating college or school (as defined under Article XIII of the University Bylaws). Further, those voting positively must represent at least half of the respective faculty group with voting rights on that issue.

C. A proposal so approved will come before the University Committee on Academic Programs and Policies (CAPP) for review of its conformity to the requirements of section V and VI, below. After submission to CAPP, such a proposal will be distributed to University faculty and distributed to or electronically posted for other interested parties for a period of 60 days before action by CAPP in order to invite public comment.

D. At the end of the comment period, CAPP shall review the proposal in order to determine whether it complies with the requirements of this enabling legislation. In conducting such a review, the committee is not to substitute its judgment for that of the originating college or school as to the need for or wisdom of the college’s or school’s adoption of the Clinical Professor title.

E. If CAPP determines that the proposal meets the requirements of this enabling legislation, it will report the proposal to the Senate, which will approve or deny the proposal by a majority vote based on the Senate’s determination of whether the proposal complies with the requirements of this legislation. If CAPP determines that the proposal fails to meet the requirements of this legislation, it shall furnish a written explanation of this determination to the college or school submitting the proposal.

V. Proposal Contents

The written proposal of a college or school that seeks to use the title of Clinical Professor must include the following provisions.

A. Justification. A proposal for adoption of the Clinical Professor title shall include a statement offering justification for adoption of the title within the originating college or school and explaining why existing titles for non-tenure-track faculty are insufficient for staffing and recruitment. The practices of peer schools and the impact of available titles on recruitment efforts may be of particular relevance in this regard.

B. Description of Position. The proposal shall describe as precisely as possible the functions and responsibilities of positions bearing the title and the anticipated distribution of such positions within the college or school.
C. Terms of Appointment. The proposal shall include a summary of the terms on which candidates will be appointed and reappointed to such positions and promoted from one to another. These terms should include: the nature of the search by which applications will be elicited; the credentials required by holders of these positions; the levels (department, college, university) at which approval for individual appointments is necessary; the length of appointments; the possibilities open to appointees for movement between non-tenure-track and tenure-track paths; and procedures for renewal and promotion open to appointees.

D. Percentage Limitation. The proposal shall include a statement restricting the creation of positions in the proposed titles to a certain percentage of the tenure-track faculty of the originating college and of the tenure-track faculty in those departments or programs where those positions are located.

E. Voting and Other Rights. The proposal shall define the rights and responsibilities of appointees in the proposed titles, including their voting status in their departments and colleges or schools, and their access to grievance and appeals processes available to tenure-track faculty.

F. Impact Statement. The proposal shall contain an appraisal of the impact of creating the new positions on existing tenure-track and non-tenure-track academic titles and their holders. This appraisal should indicate whether and in what ways current holders of non-tenure-track titles will be eligible for appointment to the new positions and whether their current positions will be protected against elimination by the new positions.

VI. Additional Restrictions on the Use of the Clinical Professor Title.

In addition to satisfying the provisions of section V, all proposals for the use of such titles must satisfy the following requirements:

A. The functions of positions bearing Clinical Professorial titles may not replicate the full array of functions (e.g. teaching and research and service or outreach) served by tenure-track positions in the originating college or school. Proposals must indicate how the functions of positions as defined will differ from regular tenure-track positions.

B. Terms of positions bearing these titles shall normally be for three to five years and shall not exceed five years. Unless otherwise specified, they shall be renewable indefinitely. Holders of these titles whose appointments are not renewed must receive a full year’s appointment from date of notice of non-renewal.
C. Procedures for review, renewal and promotion of holders of these titles shall be comparable in rigor to those in tenure-bearing positions. Appointment of faculty of this rank shall normally be the result of a national search.

D. The percentage of positions bearing the titles may not exceed 25% of the existing tenure-track faculty positions in the college or 25% of the tenure-track positions in those departments or programs where those positions are located.

E. Except by appointment of the holder to a new position bearing one of these titles or by resignation of the holder, no non-tenure-track faculty position may be eliminated solely as a result of creating such a new position for a function comparable to that filled by the old position.

Appendix A

Trustee adoption of this proposal will require modification of University Bylaws as follows:

ARTICLE XIII: COLLEGE AND SCHOOL FACULTIES

Add "clinical professors, associate clinical professors, and assistant clinical professors" where appropriate, and make them contingent voters along with lecturers and senior lecturers.

ARTICLE XVI: THE INSTRUCTIONAL AND RESEARCH STAFF

Add "clinical professors, associate clinical professors, and assistant clinical professors" in section 1 and amend section 2.d to read

   d. Senior scholar, senior scientist, senior research associate, senior extension associate, senior lecturer, and full, associate, and assistant clinical professor shall be appointed by the President for a term of not to exceed five years, renewable indefinitely.

LAW SCHOOL USE OF CLINICAL PROFESSOR TITLE

At the May 2005 meeting, Professor Cynthia Farina, Law, spoke to the resolution and the proposal from the Law School. The proposal had to be approved by two thirds of those voting in a college or school and those voting “yes” must be half of those with voting rights in each of the respective groups. The proposal was then put out for comment by the University for sixty days, and then CAPP looked at it for conformity with University legislation. All those steps were followed.
Professor Jennifer Gerner, Policy Analysis and Management, and Chair, Committee on Academic Programs and Policies, spoke to her Committee’s review.

As specified in the Enabling Legislation for the Clinical Professor Title, CAPP has considered the Proposal on Clinical Professorships received March 9, 2005 from the Law Faculty.

CAPP asked the Law School to provide the vote for this proposal. It was:

Tenured/Tenure Track Faculty: 20 Yes; 10 No. Total Current Tenured/Tenure Track Faculty: 33

Non-Tenure Track Faculty: 8 Yes; 0 No

Total Current Tenured/Tenure Track Faculty: 9 + 1 new appointment to begin next year.

CAPP questioned the Law School about their intention to offer this title to all current lawyering and clinical faculty who now hold the title of lecturer or senior lecturer. The Law School responded that they intend to use the clinical titles for all faculty with similar duties, retaining lecturer and senior lecturer titles for faculty with other responsibilities. They intend to review current lawyering and clinical faculty individually for appointment to the new titles. In view of this, CAPP agreed that the Law School Proposal as a whole meets the requirements of the Enabling Legislation.

The Law School has withdrawn Section D. Percentage Limitation, noting that at this time they will abide by the limit of 25% of the Law School’s tenure track faculty.

With these two issues resolved, CAPP forwards the Law School proposal to the Senate for discussion.

Professor Francis Kallfelz, Clinical Sciences, said CAPP’s report indicated the Law School withdrew Section D – percentage limitation. Professor Farina responded that in fact not all is being withdrawn – only that with respect to the 25 percent limit.

On a vote call, the resolution and proposal were adopted unanimously as follows:

WHEREAS the Law School wishes to use the title of Clinical Professor and has taken the steps specified in the Enabling Legislation, approved by the University Faculty Senate on September 4, 2002, in making a proposal for that use; and
WHEREAS the Committee on Academic Programs and Policies has determined that Law School proposal meets the requirements of the Enabling Legislation; and

WHEREAS the University Faculty Senate concurs with the conclusion of the Committee on Academic Policies and Procedures,

THEREFORE BE IT RESOLVED that the University Faculty Senate recommends to the Provost that the Law School be permitted to use the title of Clinical Professor as specified in the Enabling Legislation.

Having obtained the requisite internal approval by two-thirds votes, the Law School proposes to use the title of Clinical Professor of Law in reference to a limited and defined group of long-term, non-tenure-track appointees whose primary responsibility will be skills and practice teaching in a clinic-like setting. This title will be available for use at the Assistant, Associate, and Full Clinical Professor rank, with the expectation being that the appointee would normally move up a rank at each reappointment stage.

Our purposes are nicely captured by the preamble to the University’s enabling legislation:

- Whereas an inadequacy in the current range of available academic titles makes it desirable to create a new non-tenure-track Clinical Professorial Title, and

- Whereas it is clearly important to recognize and reward the status, qualifications, and activities of those faculty members for whom such a title would be appropriate, and

- Whereas units need to improve recruitment and retention of such faculty members, and

- Whereas, where appropriate and possible, units should be able to reclassify competitive candidates who are currently doing such work de facto, while employed as Lecturers or Senior Lecturers.

BE IT RESOLVED THAT THIS ENABLING LEGISLATION BE ADOPTED.

In particular, our consideration of this issue has produced the following findings and conclusions:

A. Justification. As a combined graduate and professional school, Cornell Law School must instruct its students in both the theory and the practice of law. Indeed, according to the Preamble to the Standards for Approval of Law Schools, generated by the American Bar Association as the law-school accrediting body, all accredited law schools must provide “a curriculum that develops understanding of the theory, philosophy, role, and ramifications of the law and its institutions; skills of legal analysis, reasoning, and problem solving; oral and written communication; legal research; and other fundamental skills necessary to participate effectively in the legal profession.” To meet this mandate, the Law School has a rich lawyering-skills
curriculum. It starts in the first year with the required year-long “lawyering” course that focuses on mock cases simulating those the students will face as practicing attorneys, and continues with upper-level offerings that include ones in which the students represent actual clients in real cases under the supervision of the clinical faculty. These courses are taught primarily, but not exclusively, by the Lecturers and Senior Lecturers who constitute the Lawyering Program and Legal Aid Clinic faculty.

The limited range of titles currently available at the Law School compromises its ability to retain and recruit the best Lawyering Program, Legal Aid Clinic, and similar clinical faculty, to maintain its standard of excellence in teaching professional skills, and to ensure its national reputation in its law-in-practice curriculum.

A review of existing title policies at other law schools reveals that almost all law schools, including virtually all peer schools, use the professor title for their clinic’s faculty. In addition, a clear majority of law schools, and virtually all peer schools with long-term legal-writing or lawyering faculty, use the professor title for such faculty. Thus, Cornell is now in a small—and steadily shrinking—minority of law schools that have not yet adopted a professor title for clinic and lawyering faculty.

For example, the Association of Legal Writing Directors’ 2004 Survey Report for Legal Writing Programs, which included responses from 176 U.S. law schools, indicates that, of those schools that responded to the question whether their title for legal-writing faculty included the term “professor” rather than the term “lecturer” or “instructor,” approximately 62% used a professor title. Notably, responses form recent years demonstrate that the percentage of responding schools that use a professor title has increased every year. (In 2001, 53%; in 2002, 55%; and in 2003, 58%.) More specifically, numerous peer law schools have adopted a professor title for such teachers. Law schools that currently use such a title include the University of Michigan, the University of Virginia, Georgetown University, Northwestern University, and New York University. (Some top law schools—e.g., Harvard, Columbia, and Chicago—use graduate students, fellows, practicing attorneys, or other temporary instructors to teach legal writing and lawyering, and so are not relevant on this issue.)

Given this widespread practice, the unavailability of the Clinical Professor title undermines the morale of the Law School’s existing Lawyering Program and Legal Aid Clinic faculty, and it hinders the recruiting of top clinical candidates with offers from competing law schools. As recognized by the majority of law schools and by the Ad Hoc Committee of the Faculty Senate on Non-Tenure Track Faculty at Cornell, this is a situation in which the old array of titles is “no longer commensurate with the qualifications and responsibilities” of the faculty who hold them. (Report of the Ad Hoc Committee of the Faculty Senate on Non-Tenure Track Faculty at Cornell, where it discusses the need for Research Scientist titles at page 9.) Having the Clinical Professor
of Law title will add value to the Law School and allow it to accord deserved respect to its highly credentialed faculty who teach skills and practice.

B. Description of Position. We envisage non-tenure-track positions similar to those of the Law School’s current law-in-practice faculty—the Legal Aid Clinic and Lawyering Program faculty—who focus on teaching professional skills. Therefore, we provide a description of these two positions. Unlike tenure-track faculty, Legal Aid Clinic and Lawyering Program faculty are not expected to produce scholarship.

**Legal Aid Clinic Faculty**: Their classroom teaching occurs in a clinical setting. The faculty create varied instructional materials such as lecture presentations; discussion questions; and simulation exercises, which the students perform and the faculty critique. Most of the clinic’s teaching, however, is performed in the context of individual supervision of student representation of real clients. In the course of that representation, the students learn, inter alia, to interview and counsel clients, investigate facts, plan case strategy, engage in discovery, resolve ethical dilemmas, and appear before administrative hearing officers and judges in both motion and trial practice. The faculty must challenge the students to utilize their fullest abilities, while providing sufficient support as the students assume the lawyer role for the first time. The faculty are to model excellence in practice skills and instill a commitment to high ethical standards of practice.

Moreover, the faculty are expected to contribute to the Law School, the University, and the larger legal community through membership in faculty committees; service as student advisors; and participation in local, state, and national legal-education organizations, bar associations, and organizations serving the interests of the clinics’ clients.

**Lawyering Program Faculty**: As to classroom teaching, they prepare interactive classroom sessions, lectures, and in-class skills-related simulations for their year-long lawyering course. Through a series of simulated problems, which the faculty research and design for that course, they instruct students how to identify and analyze legal issues, investigate and develop facts, master several forms of legal writing, and engage in written and oral advocacy. The faculty also extensively train, and closely supervise the work of, upper-class students who serve as teaching assistants. Some of the faculty additionally teach upper-level courses, either skills-based seminars or clinical courses. As to one-on-one teaching, the faculty provide students with in-depth written critiques of their work and regularly meet with them to discuss progress on writing and other assignments.

Moreover, the faculty are expected to engage in collegial contributions similar to the Legal Aid Clinic faculty. In addition, Lawyering Program faculty commit substantial time to their program’s development.
C. Terms of Appointment.

Nature of Search for Candidates: The current Lawyering Program and Legal Aid Clinic faculty members, all of whom will be designated Associate or Full Clinical Professors, were hired following a serious search. In future hiring for Clinical Professor positions, the Law School will conduct a serious search, utilizing the conventional means for such law professor searches.

Required Credentials of Candidates: Applicants for the position of Assistant Clinical Professor shall have a J.D. or the equivalent, excellent academic credentials, a strong writing background, and excellent practice credentials. Substantial practice experience is preferred. Applicants for the position of Associate or Full Clinical Professor must display the qualities sought in Assistant Clinical Professors, but will be held to a higher standard of performance; such candidates also must have prior relevant teaching experience. Appointment will be governed by Section 14 of the Cornell Law School Policies and Procedures Governing Faculty Appointments, as amended through November 10, 1999, which currently applies to appointment to Senior Lecturer and which is appended as Attachment A.

Appointment Approval Process: The approval process will follow the provisions set forth in Section 3 of the Cornell Law School Policies and Procedures Governing Faculty Appointments, which currently applies to Lecturer and Senior Lecturer positions.

Length of Appointment: Assistant and Associate Clinical Professors normally shall be appointed for a term of three years. Full Clinical Professors normally shall be appointed for a term of five years. Shorter terms may be appropriate for initial probationary appointments or to meet short-term needs. Appointments shall be renewable indefinitely.

Possibility of Movement Between Non-Tenure-Track and Tenure-Track Paths: Movement between the non-tenure-track and tenure-track paths shall be governed by Section 3 of the Cornell Law School Policies and Procedures Governing Faculty Appointments.

Procedures for Renewal and Promotion: The procedures for renewal and promotion shall be governed by Section 3 of the Cornell Law School Policies and Procedures Governing Faculty Appointments. The appointment of a holder of any Clinical Professor title whose appointment is not renewed shall extend for two academic terms after receiving notice of nonrenewal.

D. Percentage Limitation. The Law School envisages an initial designation of the nine current members of the Legal Aid Clinic and the Lawyering Program to these new titles.
This constitutes 25% of the Law School’s tenure-track faculty of thirty-six members. [Note: The original waiver request which appeared here was withdrawn at the request of the Law School and with the concurrence of the Committee on Academic Programs and Policies.]

E. Voting and Other Rights. The Law School plans no changes in rights by going from a lecturer title system for the Lawyering Program and the Legal Aid Clinic to a Clinical Professor title system. Currently, those lecturers have limited voting rights in conformity with University legislation, and they have full access to the grievance and appeals processes available to tenure-track faculty (Policies and Procedures Governing Faculty Appointments; Academic Grievance Procedures, adopted by the law Faculty on March 3, 1976, which is appended as Attachment B). No change is proposed thereto.

F. Impact Statement. Use of the Clinical Professor of Law title will be limited to non-tenure-track faculty engaged in skills and practice teaching, as currently exemplified by faculty in the Legal Aid Clinic and the Lawyering Program, who are now titled as Lecturers or Senior Lecturers. Current holders of positions in these programs will be retained and will have their designations changed from Lecturer or Senior Lecturer to one of the Clinical professor titles. This proposal will have no effect on other non-tenure track titles and their holders, now or in the future. Accordingly, non-tenure-track positions under titles such as Adjunct Professor, Research Associate, and Distinguished Practitioner in Residence will continue. No tenure-track or non-tenure-track faculty positions will be eliminated as a result of this proposal.
In April 2001, Professor Emeritus W. Donald Cooke, Chemistry and Chemical Biology, and Chair, Subcommittee on Professorial Titles, led a discussion about creating a Senior Professor title. As background he presented the following overhead:

1. Subcommittee is a faculty-initiated endeavor.
2. Objective - Seeking creative, flexible ways to make part-time appointments more attractive for senior faculty in order to release funds for new appointments.
3. Conditions - Individual proposals would be at the discretion of the faculty member and require the approval of the department and the college.
   - Once agreed upon, the percentage part-time could not be increased except by mutual consent.
   - The committee will not recommend changes in the current programs.

Discussion ensued on part-time appointments, and phased retirement.

At the May 2001 meeting, Professor Abby Cohn, Linguistics, gave a progress report on behalf of the Task Force. She said they have had biweekly meetings since November to:

- Consider the need for additional titles for long-term non-tenure track professorial appointments.
- Consider the additional options for faculty approaching retirement – possibility of introducing the title of “Senior Professor” – as presented to the Faculty Senate by the Subcommittee on 4/11/01, currently chaired by Danuta Shanzer.
- Consider appropriate titles and terms of employment for teaching and service functions in a clinical setting and research functions
- Consider the situation at Cornell University, as well as peer institutions

Professor Michael Kotlikoff, Biomedical Science, gave an update on the actions in the Vet College:

1. Faculty Committee formed to consider issue of **Clinical Professor** titles at College of Veterinary Medicine. Issued Report December 2000 calling for establishment of a Clinical Professor Track.

2. Homologous Research Track proposal developed with consultation and suggestions from University Task Force.
3. Meeting with General Committee of the Vet College to discuss Clinical and Research Proposals. Documents modified following these discussions.

4. Meetings with all Departments and Baker Institute faculty to discuss documents. Documents further modified following these discussions.

5. Two open Faculty Forums in April 2001 to discuss general proposals.

Issues raised at Faculty Meetings and Forums:

1. Impact on future faculty makeup of specific Departments

2. Request for specific implementation plans

3. Potential effect on Gender Equity issues raised

4. Financial impact

5. “Why can’t we just get more FTE’s”

Decision made to respond to the specific requests for more information, rather than to vote on an issue of this potential impact without full deliberation. Current plans are to prepare an impact report for faculty consideration.

Project that we will have a vote in the fall of 2001 by the full Veterinary College faculty.

Discussion on the progress report followed the presentations.
At the October 2002 meeting, Professor Charles Walcott, Neurobiology and Behavior, and Associate Dean and Secretary of the University Faculty, moved the Divided Motion from the Clinical Professor Enabling Legislation, Section VII:

BE IT FURTHER RESOLVED THAT

VII. Committee to Investigate the Status of Non-Tenure-Track Faculty

A. The Faculty Senate directs the Dean of the Faculty to appoint a Task Force or task forces to investigate the status and conditions of employment of non-tenure-track faculty including their terms of employment, particularly job security, rights to academic freedom, access to appropriate grievance and appeals procedures, eligibility for sabbatic leave, eligibility for emeritus/a status, and voting rights.

B. The Senate is mindful that the Dean of the Faculty may determine that the present Task Force on Professorial Titles should continue to work on the issue of titles.

C. Any body or bodies appointed to study these issues will report to the Senate on the progress reached no later than the second Senate meeting of Spring 2003, but may report earlier, if any specific proposals are ready for action.

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Professor Alan Bell, Animal Science, and Chair of the Professorial Titles Task Force, said the above motion was severed from the full proposal on the Clinical Professor title at the September meeting. Professors Shiffrin and Lieberwitz, through the University Faculty Committee, have amended the amendment of what, up until now, has been called item VII., by deleting section B. The substitute motion is:

Revised Resolution, sponsored by the UFC
Committee to Investigate and Make Recommendations Concerning the Status of Non-Tenure-Track Faculty

Be It Resolved That

I. The Faculty Senate directs the Dean of the Faculty to appoint a Task Force or Task Forces to investigate and make recommendations concerning the status and conditions of employment of non-tenure-track faculty, paying particular attention to such matters as titles, job security, rights to academic freedom, access to appropriate grievance and appeals procedures, eligibility for sabbatic/study leave, eligibility for emeritus/a status, and voting rights.

II. Any body or bodies appointed to study these issues will report to the Faculty Senate on the progress reached no later than the second Senate meeting of Spring 2003.

On a vote call, the substitute motion was adopted and would now be discussed as the main motion.

Discussion ensued as to who constitutes non-tenure-track faculty. Professor Peter Stein, Physics, said he believed the two proponents of the motion want that to say “employment of all academic appointments other than tenure-track faculty.” He moved the wording as a friendly amendment. The amendment failed.

Professor Risa Lieberwitz, ILR, said the idea is that this committee would look broadly at the way in which teaching and research is done in this University.

On a vote call, the motion clearly passed:

Committee to Investigate and Make Recommendations Concerning the Status of Non-Tenure-Track Faculty

Be It Resolved That

I. The Faculty Senate directs the Dean of the Faculty to appoint a Task Force or Task Forces to investigate and make recommendations concerning the status and conditions of employment of non-tenure-track faculty, paying particular attention to such matters as titles, job security, rights to academic freedom, access to appropriate grievance and appeals procedures, eligibility for sabbatic/study leave, eligibility for emeritus/a status, and voting rights.
II. Any body or bodies appointed to study these issues will report to the Faculty Senate on the progress reached no later than the second Senate meeting of Spring 2003.

At the February 2003 meeting, J. Robert Cooke, Dean of the Faculty, announced the formation of a Committee to look at the status of non-tenure-track faculty:

**Committee on the Status of Non-Tenure-Track Faculty**
Lynne Abel, Associate Dean, Arts and Sciences
Nancy Burton-Wurster, Sr. Research Associate, Vet. Medicine
Stuart Davis, Sr. Lecturer, English
Don Holcomb, Co-Chair, Professor of Physics, Emeritus
Mary Opperman, Vice President, Human Resources
Don Rutz, Professor, Entomology
Norm Scott, Co-Chair, Professor, Biological and Environmental Engineering
Steven Shiffrin, Professor, Law
Susan Steward, Director, Office of Academic Personnel Policy
Maria Terrell, Sr. Lecturer, Mathematics
Pamela Tolbert, Professor, ILR
Linda Van Buskirk, Sr. Lecturer, Communication

In March 2003, Professor Emeritus Donald Holcomb, Physics, and Co-Chair of the Committee, presented the Committee’s report as mandated by the enabling legislation. He said for the first pass through, the Committee restricted the list of academic titles to Senior Lecturers/Lecturers, Senior Research Associates/Research Associates, and Senior Extension Associates/Extension Associates, since these titles seemed to have issues in common surrounding their duties.

The study area of the Committee include:

- Terms of appointment, performance review, notice, safety nets, “job security”
- Rights to academic freedom
- Knowledgeability about and access to appropriate appeals and grievance procedures
- Professional development – opportunities for appropriate leaves, conferences and workshops, opportunities for consulting activities
- Voting Rights
- Titles
- Emeritus/a status – use of title, support for post-retirement professional activities, non-$ retirement benefits
At the present time, the Committee steps include getting background materials, examining college/other unit differences, summarizing gaps/critical issues, and making recommendations.

Professor Holcomb was asked whether the Committee was planning to compare Cornell to other universities and whether it was planning to look at official policies of colleges and departments. He responded “yes” to both questions, and said the Committee will have an on-line forum, and possible hearings.

Additional questions regarding non-tenure-track faculty, academic freedom and job security, and adjunct faculty were also discussed.

In May 2003, Professor Norman Scott, Biological and Environmental Engineering, and Co-Chair of the Committee, requested feedback to their interim report:

I. Introduction

Faculty not on tenure tracks, including lecturers and senior lecturers, research associates and senior research associates, extension associates and senior extension associates, and librarians serve the University, its colleges, and its departments in capacities that are essential to the mission of the University. Because the work of this faculty is so important, the University recognizes its responsibility to consider the appropriate academic protections for its non-tenure track faculty.

Dean of Faculty Robert Cooke, as directed by the Faculty Senate (10/9/02), appointed an ad hoc committee to address the resolution:

“The Faculty Senate directs the Dean of the Faculty to appoint a Task Force or Task Forces to investigate and make recommendations concerning the status and conditions of employment of non-tenure-track faculty, paying particular attention to such matters as titles, job security, rights to academic freedom, access to appropriate grievance and appeals procedures, eligibility for sabbatic/study leave, eligibility for emeritus/a status, and voting rights”.

The Committee (thanks to Stuart Davis) developed a web site to assist Committee members (http://instruct1.cit.cornell.edu/~sad4/NTTF/) and others interested in the work of the Committee to exchange and access information. We expect to use the site on a continuing basis, to report further work of the committee. This web site is linked to the Dean of Faculty web site at: under the section on Active Forums/Discussions.

II. Instrument for Campus Input

The Committee decided to focus on a limited number of issues of direct and immediate importance to the governance policies of the University. An e-mail invited comments
from tenured and tenure-track faculty as well as non-tenure-track faculty and sought responses to:

1. The first concern is academic freedom to teach students and to conduct research in ways appropriate to a leading university. As broadly construed by the AAUP, academic freedom includes:
   
   • Economic and job security
   • Grievance procedures
   • Freedom in research and publication
   • Freedom in the classroom
   • Due process in all professional matters

2. The second focus of concern was the status of the non-tenure track faculty within their departments and colleges. While recognizing that the particular definition of responsibilities and privileges will necessarily vary, the committee wished to explore issues such as

   • Titles
   • Career development
   • Participation in university and academic life
   • Accountability, evaluation, and standards for renewal of contracts

We sought responses to this inquiry in whatever form a person found most suitable and informative. We invited respondents to rank the several concerns listed in order of importance to them; to isolate those that one considered particularly important and comment on them; to consider existing policies and practices and suggest reforms to them. Replies by email were directed to Sandie Sutfin (Dean of Faculty’s Office) or through the University Faculty Senate website.

III. Summary of Campus Responses

The response from NTTF to the Committee’s request for feedback was excellent. We received 62 replies, almost all from NTTF. Respondents expressed appreciation for an opportunity to provide their thoughts to the Committee. The overwhelming majority of NTTF responding expressed an appreciation for this opportunity, which most indicated was the first time that such input was sought from them. In order of frequency of importance to persons the responses were directed to:

   a. Job and economic security,
   b. Career advancement,
   c. Professional development,
   d. Ambiguity about status within the University, college and
department,
e. Salary schedule/incentives,
f. Titles, particularly relative to both being able to be a Principal Investigator for a research grant, and to the perception of agencies about the appropriateness of Principal Investigator status for people with certain of our present titles

Generally, NTTF perceived that they are able to enjoy academic freedom in the conduct of their studies, whether in research, the classroom or in outreach. However, there were a number of responses, primarily in the Extension area, where individuals felt substantial pressure from their administration to worry about the impact of their work or statements on outside persons or groups who might perceive a negative impact on their interests.

Very few persons had sought to employ the existing grievance procedures. Almost all respondents expressed a lack of understanding about such procedures, often expressing uncertainty about whether such existed for NTTF.

To conclude this section: One response particularly captured the ideal situation for NTTF as, We want to “1) feel that our contributions are valued by the University just as faculty programs are, 2) work in an atmosphere where colleagues treat us as equals, 3) have the ability to gather resources (e.g. grants) necessary to support our program area, 4) have avenues for promotion built into the system and 5) be adequately compensated”. Our Committee’s work should provide a roadmap to support these ambitions!

IV. The Role of Non-Tenure Track Faculty

At the present time, the Cornell professorial faculty numbers roughly 1600. In the NTTF ranks, there are approximately 170 persons in each of the most numerous NTTF positions -- Senior Lecturer, Senior Research Associate, Senior Extension Associate.

As our Committee addressed its charge, it took some time to reflect on the role of this substantial cadre of NTTF at Cornell University. Why have NTTF? In addressing this broader question we became aware of two particular studies related to our task, both referenced in the Committee’s web site: (1) A report by Baldwin and Chronister and (2) the recent report of a Committee on NTTF at the University of North Carolina. These studies and our perceptions suggest that our report needs to help Cornell better understand and address the role of NTTF to ensure quality research, education and outreach at Cornell.

We perceive the driving forces for appointment of substantial numbers of NTTF to be:
• The academic profession is in a significant transition as the roles of faculty and higher education evolve in response to changing campus and societal environments.

• There is a reduced cost to the institution because these appointments are made at lower salaries than tenure track faculty. Quality appointments are possible because there is an available academic labor pool.

• There is an ability to fill specific roles and job responsibilities that are not considered comfortably fitted into the broad responsibilities of tenure-track faculty.

• Flexibility comes with short-term contracts, providing an ability to adjust quickly to changing enrollments and fluctuating research funding.

• NTTF carry heavier teaching loads, providing budgetary efficiencies in supporting the basic teaching activities.

• In Ithaca there is a pool of well-educated persons seeking employment, often as a part of a two-body problem, who welcome an opportunity to participate in the academic life.

• Although there is a natural concern that there may be a gender related issue (exploitation of women), the Cornell numbers do not suggest a major problem in gender balance. It is, of course, possible that appointments are made to NTTF positions, rather than an appropriate professorial appointments.

• Aging of faculty, including phased retirements, create a need for NTTF to cover the workload.

V. Preliminary Analyses or Assessments from our Committee

A. Terms of Appointment, Performance Evaluation & Job Security

University bylaws provide specifications for academic appointments. The authority comes from the Board of Trustees via “broad strokes” and from other Trustee legislation, hand-in-hand with University Faculty legislation. There do not appear to be problems in the appointment process, although one area that may need some increased flexibility in implementation is spousal appointments to support dual careers. The Academic Personnel Policy Office is working with others on policies governing early termination and non-renewal.

Performance reviews are not required in general at the University level. Good human resource management would suggest an annual review should be conducted and the Committee is likely to recommend implementation of a process of annual reviews.

Job security was a principal concern among respondents to our feedback instrument. A common suggestion was a “pool” to help a person for a short time between funding sources, particularly in the case of unavoidable breaks between research grants.
B. Academic Freedom

The ninth edition (2001) of the AAUP Policy Documents and Reports restates that the AAUP has focused on the principles of academic freedom since its inception in 1915. Of special relevance is a section from the Conclusions of this document, “Individuals who are offered full-time service only on non-tenure track lines lack the financial, intellectual, and pedagogical security needed for the profession to be an attractive career choice for young scholars. Moreover, and of even greater importance, faculty members who hold such positions lack the security without which academic freedom and the right to pursue one’s own contributions in research and teaching are but illusions.”

The AAUP (in its 1986 report) raises concerns about the adverse effects of NTTF appointments in the four categories: those on the non-tenure track faculty members, those on the students and learning process, those on institutional morale and academic governance and those on the future of the profession. Our Committee has only scratched the surface of the question of how to give solid protection of academic freedom without the protection of indefinite tenure. It will address this area in significant depth during its future deliberations.

C. Professional Development

Non-tenure track faculty (NTTF) are faculty in their schools and colleges and not members of the University Faculty. But many of them are continuing long-term employees of the University who support the central mission of the institution in teaching, research and outreach. Because the University has a positive interest in the professional and intellectual growth of all faculty, because resources made available for supporting this growth will need to come from the University as well as from the schools and colleges, and because equity across college and school boundaries requires similar treatment of faculty in similar titles, the Committee expects to call upon the Provost and the school and college deans to establish mechanisms whereby professional development opportunities in the form of paid and unpaid leaves, and, where they do not already exist, resources for attending conferences and professional meetings, can be made regularly available to NTTF. A sub group of the Committee has developed a tentative, detailed plan for a professional development leaves policy. This proposal will be found on the Committee website.

D. Voting Rights

The status quo in this area is described in print on pp. 3 and 4 of the 2002 Cornell Faculty handbook. That entry is a slightly condensed version of an earlier statement approved by the Faculty Council of Representatives (Predecessor of the Cornell Faculty Senate) on March 9, 1994. That statement is reproduced below.
"Each college/school faculty, except the Graduate Faculty, shall be composed of the President, who shall be the presiding officer; the dean or director of the college/school; and all professors, associate professors, assistant professors and instructors in the department or departments under the charge of that faculty. Instructors, senior research associates, senior extension associates and those bearing the adjunct title shall be nonvoting members, unless given the right to vote by the particular faculty. Each college/school faculty may, in its discretion, grant voting or nonvoting membership to senior scholars, senior scientists, and other professional personnel for whom such membership is deemed appropriate by such faculty. Lecturers and senior lecturers are members in both college/school and department faculties and shall participate fully in decisions that are relevant to their roles within the college/school or department and in decisions that pertain to the hiring in their rank or below, and in any other matters the particular college/school or department may deem appropriate. In departments where the number of lecturers and senior lecturers is comparable to the number of professorial faculty, the Provost may modify this policy in regard to curricular decisions. Granting of such college/school faculty status will in no way affect other conditions of employment."

The clause in boldface type in this FCR statement is a small but potentially important addition to the current Faculty Handbook, and we expect to recommend its inclusion in the next issue of the Faculty Handbook.

The pattern of decision-making at the departmental level varies greatly across academic departments, and we hesitate to describe any particular guideline. But the spirit of the 1994 FCR statement can guide decisions about voting at the department level.

**E. Titles**

Our Committee’s activities have initially focused on NTTF who occupy positions which carry the titles:

- Senior Lecturer, Lecturer
- Senior Research Associate, Research Associate
- Senior Extension Associate, Extension Associate
- Librarians and Archivists (eleven sub classifications)

A subgroup of the Committee focused on the question of whether this list of titles is adequate to represent the academic world of 2003 at Cornell. We believe the single title, "Senior Research Associate", is inadequate to meet the wide-ranging needs of the University’s research community in the research world of 2003. A proposal to add two titles, "Research Scientist" and "Principal Research Scientist", was approved by the faculty of the College of Engineering (April 30, 2003). We believe this proposal can nucleate a university-wide discussion of additional titles in the area of research.
At this time, the Committee perceives no immediate need for creation of additional titles in the category of Lecturers. We have not yet addressed the question of need for additional titles in the Extension category.

F. Retirement Arrangements for NTTF

As is the case for professorial faculty, many aspects of retirement arrangements for NTTF employees are covered by the overall Office of Human Resources plans which are described in the two booklets, "Retirement and Beyond (Endowed)" and "Retirement and Beyond (Contract College Faculty and Staff.)" These arrangements are also briefly described in a section of the 2002 Faculty Handbook entitled "Retirement Benefits", beginning on p. 62.

Section 4.2 of the Handbook (beginning p. 64 in the 2002 edition) describes additional arrangements available to Emeritus faculty. Our Committee has not yet been able to devote serious study to the matter of possible extension to retiring NTTF of some of the provisions described in section 4.2. The important substantive issue concerns whether the arrangements designed to support continuing professional activity by post-retirement Emeritus professorial faculty should be extended to retiring "Senior" employees who fall in the group our committee has been considering.

The charge to our committee included an allusion to possible extension of the title Emeritus to a retiring, suitably defined group of NTTF. Our committee has not come yet to consideration of such a change. We are aware of a commonly held belief that, for professorial faculty, the two terms "retired" and "Emeritus" are synonymous. This belief is not consistent with the description of appointment to the position of Professor Emeritus given in the Faculty Handbook (bottom of p. 31 in the 2002 edition.) A review of the realities of use of the title Professor Emeritus should precede consideration of extension of the honorific title to non-professorial faculty.

VI. Concluding Comments

The charge to this committee covered a large number of aspects of the professional life of non-tenure track faculty at Cornell. We believe that we have made some progress in sorting out where future investigation and possible action is called for -- by the Faculty Senate, by the College administrations, the central administration and the University Trustees, as needed.

Preliminary analyses and preliminary proposals can be found on the website, http://instruct1.cit.cornell.edu/~sad4/NTTF/, maintained by Dr. Stuart Davis, a member of our committee. It is also linked to the Dean of Faculty website: http://theuniversityfaculty.cornell.edu/.
We believe that, as we complete the work of this Committee, we will bring forth specific recommendations, which can improve the quality of life for NTTF and benefit substantially the academic environment of Cornell students and faculty.

Committee Membership
Lynne Abel, Associate Dean, College of Arts and Sciences
Nancy Burton-Wurster, Senior Research Associate, Veterinary College
Stuart Davis, Senior Lecturer, Arts & Sciences
Donald Holcomb, Prof. of Physics, Emeritus, Co-chair
Mary Opperman, Vice-President for Human Resources
Donald Rutz, Prof., Veterinary Entomology
Norman Scott, Prof., Biological & Environmental Engineering, Co-Chair
Steven Shiffrin, Prof., Law
Susan Steward, Director, Academic Personnel Policy Office
Maria Terrell, Senior Lecturer, Arts & Sciences
Pamela Tolbert, Prof., Organizational Behavior, ILR
Linda van Buskirk, Senior Lecturer, A&LS

A question was raised whether the Committee has decided not to look at the possibility of extending tenure, and Professor Scott replied it is still on the table. The Committee has a website that contains two very interesting references – a study reported to the University of North Carolina, and a book from Johns Hopkins Press. The site is linked to the Dean of Faculty website.

In December 2004, Professor Norman Scott, Biological and Environmental Engineering, and co-chair of the ad hoc committee, introduced the committee’s report. He acknowledged the committee membership:

Lynne Abel, Associate Dean, College of Arts and Sciences, retired,
Associate Professor, Classics
Nancy Burton-Wurster, Sr. Research Associate, Veterinary College
Stuart Davis, Senior Lecturer, Arts and Sciences
Donald Holcomb, Professor, Physics, Emeritus, Co-chair
Kathleen Long, Associate Professor, Romance Studies
Mary Opperman, Vice-President for Human Resources
Norman Scott, Professor, Biological and Environmental Engineering,
Co-Chair
Steven Shiffrin, Professor, Law
Susan Steward, Director, Academic Personnel Policy Office
Maria Terrell, Senior Lecturer, Arts and Sciences
Pamela Tolbert, Professor, Organizational Behavior, ILR
Linda van Buskirk, Senior Lecturer, Agriculture and Life Sciences
The total number of non-tenure track academic titles as of 2/1/04 is:

- Senior Lecturer 164
- Lecturer 134
- Senior Research Associate 185
- Research Associate 261
- Senior Extension Associate 163
- Extension Associate 124
- Librarian 125
- Archivist 5

Total 1624

Professor Scott said the perceptions that exist in academia are:

1. In a workplace increasingly driven by the need to reduce costs, the cost saving achieved by hiring NTT faculty becomes a motive for their employment. The heavier course loads carried by NTT teaching faculty is an example, although not the only one.
2. Where the labor pool is deep, cost-saving can be achieved without sacrificing quality of work.
3. Limited-term contracts allow for flexibility, allowing departments, programs, and units to respond to changes in enrollments and fluctuations in funding. This flexibility also allows for precise definitions of duties and responsibilities that can fill the continuing as well as short-term needs and demands of departments, programs, and units.
4. An assumption that has prevailed at universities for some time is that NTT faculty salaries are a secondary part of a family’s income. This assumption (in addition to prevailing market forces) has contributed to the limiting of NTT faculty salaries and to concomitant limiting of status and of resources available to NTT faculty, particularly in fields heavily populated by women.

The committee developed their report around four major principles:

1. Quality of instruction, research, or public service is enhanced by faculty members’ knowledge and understanding of how a department or program functions and of its central goals. This knowledge is acquired over time and represents a form of “workforce capital.” Supported by experience and academic qualification, this “capital” can contribute significantly to the effectiveness of NTT faculty. All these should be factors in hiring and retention decisions.
2. The dept of a given labor pool may vary considerably over time, and the only way to guarantee consistent quality of job performance is to hire from an
excellent pool and then to assure some form of job security and opportunities for professional development. Constant rotation of NTT faculty brings with it the risk of hires from a less qualified and less motivated pool of candidates. Long retention of qualified NTT faculty and support of their professional development enhances their stake in and their contributions to the life of the institution.

3. Maintaining flexibility is a valid reason for hiring NTT faculty, but the value of this very flexibility must be reflected in adequate salaries, appropriate professional development opportunities, and a respectful workplace climate.

4. In this economic climate, no family salary is secondary, and financial well being cannot be assumed. Adequate salary and resources contribute to a professional workplace climate and permit NTT faculty to perform their duties to the best of their abilities.

The committee sought email input and received 63 responses which expressed the following concerns:

- Job and economic security
- Career advancement
- Professional development
- Ambiguity about status within the University, college and department
- Salary schedule/incentives
- Titles, particularly relative to both being able to be a Principal Investigator for a research grant, and to the perception of agencies about the appropriateness of Principal Investigator status for people with certain of our present titles.

In addition, an open hearing was held in November 2003 (> 60 attendees) and yielded these concerns:

- Access to an appeals process
- Rights to academic freedom
- Consistency of promotion procedures and appointments across colleges
- Opportunities for phased retirement
- Clarification on voting rights
- Representation in the University
- Autonomy in research funding

One response portrayed the ideal situation for NTT faculty:

We want to

1) feel that our contributions are valued by the University just as faculty programs are,
2) work in an atmosphere where colleagues treat us as equals,
3) have the ability to gather resources (e.g. grants) necessary to support our program area,
4) have avenues for promotion built into the system and
5) be adequately compensated.”

The Committee’s work should provide means to attaining some of these goals.

The committee recommendations for administrative action are:

A. Academic Freedom
B. Consistency of Procedures for Appointment and Promotion
C. Job Security: Funding
D. Job Security: Access to Appeals
E. Access to Grievance Procedures
F. Consulting Policy
G. Salary Study
H. Phased Retirement for NTT faculty
I. Representation of NTT faculty at the University level
J. Standing Committee on NTT faculty

Four areas and resolutions for future Faculty action include:

A. Professional Development Study leaves
B. New Titles; Research Scientist and Principal Research Scientist
C. Eligibility for Emeritus/a Status
D. Voting Rights for Continuing NTT Faculty

Professor Scott concluded his comments by saying the charge to this committee covered a large number of aspects of the professional life of non-tenure track faculty at Cornell. We believe that we have made some progress in sorting out where future investigation and possible actions are called for – by the Faculty Senate, by the College administrations, the central administration and the University trustees.

Comments were raised about individuals covered, perceived problems in academic freedom, adequate reward for these titles, length of funding, graduate faculty membership, paid leaves, voting status, professional development and review processes.

At the March 2005 meeting, Professor Scott introduced a resolution recommending that the Provost and officers of schools, colleges, and administrative units employing NTT faculty create professional development opportunities:
A. PROFESSIONAL DEVELOPMENT OPPORTUNITIES

Whereas non-tenure-track faculty (NTT faculty) are continuing long-term employees of the University who support the central missions of the institution in teaching, research, and outreach; and

Whereas the University has a positive interest in the professional and intellectual growth of all faculty; and

Whereas equity across college, school, and other administrative boundaries recommends similar treatment of faculty in similar titles,

Be it resolved that the Senate calls on the Provost and officers of schools, colleges, and administrative units employing NTT faculty to create professional development opportunities for these faculty where they do not exist, in the form of paid and unpaid leaves and individual research and travel accounts corresponding as closely as possible to the following descriptions.

1. Professional Development leaves. Senior lecturers, senior research associates, and senior extension associates should become eligible to apply for paid Professional Development (PD) leaves at regular intervals.

   i. Eligibility. Senior lecturers, senior research associates, and senior extension associates should become eligible to apply for PD leaves after their first reappointment after six years of full-time service. Part-time service should be prorated for progress toward eligibility. Interruptions in service, unless spent in a comparable PD or study leave or Prestigious Fellowship leave, should not interrupt progress toward eligibility. After a first PD leave, senior lecturers, senior research associates, and senior extension associates should become eligible for another after seven years of full-time service.

   ii. Duration. Under this proposed policy, a PD leave will normally be for a full semester (or in the case of 12-month employees, six months) at full pay and benefits. In exceptional circumstances, it may comprise two semesters or 12 months at half pay.

   iii. Proposals. Applicants for PD leaves will present proposals for projects allowing for concentrated thinking on or investigation of substantive topics of interest related to their professional or intellectual commitments. Proposed PD projects need not be related directly to improvements in pedagogy or extension/augmentation of research skills, but they should promise (and deliver) a yield of contributions to the applicant’s discipline or department that would not otherwise have been possible.

   iv. Application. Applicants will submit proposals together with the endorsement of the chairs of their departments to their school or college deans or other officers of their employing units, or to their designees.
2. Leaves without pay.

i. Unpaid leaves of absence should be available to senior lecturers, senior research associates, and senior extension associates after six years of service (and, by negotiation with the department chair or head of administrative unit, before that time).

ii. Leaves may be for one or two semesters with assurance of reemployment in the same position upon return.

iii. Under these conditions, unpaid leaves of absence should be granted upon suitable application. University contributions to retirement, medical, and Cornell Children’s Tuition Scholarship plans of those taking leave should be continued at the level obtaining immediately prior to the leave.

iv. A senior lecturer, senior research associate, or senior extension associate should not be unduly penalized with respect to salary increases by taking an unpaid leave for which she or he is eligible.

v. Those in these titles who win any of the prestigious awards which make tenure-track faculty eligible for unpaid leaves with continuing benefits from Cornell should be eligible for unpaid leaves with the same continuing benefits as tenure-track faculty receive.

3. Research and travel support. Continuing NTT faculty in some schools and colleges are already provided with annually replenished individual research accounts and with funding for attendance at and travel to professional conferences. Where these opportunities do not exist, we believe they should be established.

4. Funding and implementation of these proposals. The University should work with the several colleges, schools, and employing administrative units to identify funds available and to seek them where they do not exist. Colleges and schools should keep NTT faculty informed of the availability of such PD opportunities as develop.

5. Adoption of any part of this PD proposal should not diminish travel and research funding already made available to NTT faculty as members of a college, school, or department. The granting of a PD leave to a NTT faculty member should not impair his or her eligibility for such travel and research funding as is available to other NTT faculty members in his or her college, school, or department.

Questions were raised as to inclusion of other titles – i.e. Principal Research Scientist, Research Scientist, Senior Scientist, and Senior Scholar. An additional resolution would be needed to add these categories and if this passes, the Provost is capable of recognizing that it was not the intent to exclude these titles. It is the Provost who makes the final decision on what titles should be included.

The resolution carried.
A second resolution recommending that the Provost and Board of Trustees create Emeritus/a titles to which Senior Lecturers, Senior Research Associates, and Senior Extension Associates may be appointed.

Professor William Arms, Computer Science, proposed adding “Non-Tenure Track Professors” to the list of faculty in the ‘Be it resolved paragraph.’

Since the amendment was one the committee agreed to, it became part of the original motion.

On a vote call, the resolution carried by a vote of 37 in favor, to 16 against.

A. ELIGIBILITY FOR EMERITUS/A STATUS

Whereas senior non-tenure track (NTT) faculty, like their tenure-track counterparts, are continuing long-term employees of the University who support the central missions of the institution in teaching, research, and outreach; and

Whereas senior NTT faculty may continue to contribute to the missions of the University and the campus community after their retirement; and

Be it resolved that the Senate calls on the Provost and the Board of Trustees to create emeritus/a titles to which Non-Tenure Track Professors, senior lecturers, senior research associates, and senior extension associates with sufficient service may be appointed and to extend to them perquisites comparable to those available to their tenure-track colleagues upon their transition to emeritus/a status on these conditions:

1. The emeritus/a title should be made available to Senior Lecturers, Senior Research Associates and Senior Extension Associates who have retired after ten years of service and who have rendered distinguished and meritorious service to the University in these titles. “Emeritus” is not synonymous with “retired.” Just as the title emeritus or emerita is not conferred upon members of the University Faculty automatically upon retirement, so appointment to these NTT Faculty emeritus titles should be contingent upon a history of distinguished and meritorious service and on departmental and school/college recommendation and the Provost’s approval.

2. University policy (including, if necessary, Trustee legislation) be amended to effect such a change as this to the description of the emeritus title found in the 2002 Handbook, pp. 31-32.

Professor, Senior Lecturer, Senior Research Associate, Senior Extension Associate Emeritus. Any member of school, college, or University faculties who retires after ten years in the tenured ranks of university professor, professor, or associate professor or in
the nontenured ranks of senior lecturer, senior research associate, or senior extension associate and who has rendered distinguished and meritorious service to the university, may be appointed to an emeritus or emerita title corresponding to his or her title upon retirement by the provost after recommendation by the members of the particular department and the dean of the college or school faculty to which that member belonged.

A faculty member who does not seek or is not qualified or approved for emeritus status is considered a retired academic.

3. University policy for emeritus faculty recorded in section 4.2 (pp. 64-68) of the 2002 Faculty Handbook should be modified to extend to NTT faculty emeritus/a perquisites comparable to those available to tenure-track faculty, and these in particular:

   i. Emeritus/a perquisites pertaining to use of the approved title, to legal defense and indemnification, and to membership in the University community (directory listing, Chronicle delivery, identification cards) should be extended without reservation to NTT faculty emeriti/ae, as should those providing basic resources for study and communication (library and computer services, mail, and C.U. course enrollment).

   ii. Schools and colleges should be requested to consider revising their policies to permit emeritus/a NTT faculty to retain all of the college/school rights and privileges of active NTT faculty members, including voting rights in the college/school faculty. Emeritus/a NTT faculty are to be welcome to attend departmental faculty meetings. Each department will set its own policies regarding voting rights and privileges, but these policies should be put in writing.

Depending on individuals’ involvement in continuing teaching, research, and outreach activities and on the availability of resources, office space and basic office and clerical support should be provided NTT faculty emeriti/ae by departments, colleges, and schools. Laboratory or experimental space is not an entitlement for emeritus/a faculty. Provision of such space should be made by department chairs for emeritus/a NTT faculty who maintain active research programs.

SEE RESEARCH SCIENTIST AND PRINCIPAL RESEARCH SCIENTIST TITLES BELOW.
Professor Terrence Fine, Electrical and Computer Engineering, and member, University Faculty Committee, gave a preliminary report of a proposal for new academic titles from the College of Engineering. The Committee on Academic Freedom and Professional Status of the Faculty will receive input and bring a recommendation next semester.

At the initiative of Dean Fuchs, College of Engineering, the Engineering College Policy Committee and the Engineering College faculty considered two new titles of Research Scientist and Principal Research Scientist. The titles would be keyed to the level of associate and full professor, with respect to their research accomplishments. These titles would be prestigious, non-tenure track, renewable 5-year term appointments, supported through external money, with a greater degree of independence than currently associated with research associate and senior research associate titles. They would engage in research of a high quality, direct graduate students with the approval of the appropriate graduate field, and perform many of the functions including external representation, raising funds, etc. They are not, however, viewed as full service faculty. The College did talk about teaching responsibilities and limitation upon them. Those in research associate or senior research associate positions could be promoted to research scientist, but would have to go through the process of research evaluation and then from research scientist to principal research scientist.

Discussion ensued.

At the May 12, 2004 meeting, on behalf of the Task Force on Non-Tenure Track Faculty, Professor Emeritus Donald Holcomb, Physics, and Co-chair, introduced the following recommendation and resolution:

**Recommendation and Resolution for Establishment of New Research Titles by the ad hoc Committee of the Faculty Senate established to study the status of Non-Tenure Track Faculty (NTTF) at Cornell.**

**Background on Titles**

Our committee’s activities have focused on NTTF who occupy positions which carry the titles:
Senior Lecturer, Lecturer
Senior Research Associate, Research Associate
Senior Extension Associate, Extension Associate
Librarians and Archivists (eleven sub classifications)

The Committee has considered whether this list of titles is adequate to represent the academic world of 2004 at Cornell. We believe the titles, “Research Associate” and “Senior Research Associate”, are inadequate to meet the wide-ranging needs of the university’s research community in the research world of 2004. A proposal to add two titles, “Research Scientist” and “Principal Research Scientist”, was voted on favorably by the faculty of the College of Engineering (April 30, 2003). Recognizing the inadequacy of existing non-tenure track titles for researchers at Cornell, the Committee has considered creation of new and the redefinition of existing research titles in the titles matrix. We do this because

Senior Research Associates and some Research Associates are now often performing research that was traditionally a professorial responsibility. Their titles are no longer commensurate with their qualifications and responsibilities and are disadvantageous when applying for outside grants.

Restricting Cornell Senior Research Associates and Research Associates to these two titles may compromise their professional standing, compensation and productivity, as well as limiting recognition and access to a rewarding career path.

Of ten peer institutions, only two maintain the title Senior Research Associate and all have the titles Research Scientist, Research Professor, or both. Cornell may well be at a disadvantage in competing with these institutions for researchers and funding.

Recommendation on Research Titles

Academic titles need to reflect the high level of independence, expertise, and achievement expected of non-tenure-track research faculty at Cornell. Consequently, the Committee recommends that

1. The Faculty Senate recommends to the Provost creation of the titles, “Research Scientist” and “Principal Research Scientist.” The net effect of creating these two new titles is increasing to four the number of titles available for researchers: research associates, senior research associates, research scientist, and principal research scientist.

2. If the recommendation is approved, colleges may present to the Committee on Academic Programs and Policies proposals for using the two new titles.
Resolution

NEW TITLES OF RESEARCH SCIENTIST AND PRINCIPAL RESEARCH SCIENTIST

Whereas many Senior Research Associates and Research Associates are performing research that is on a level with that traditionally considered a professorial responsibility; and

Whereas the titles “Senior Research Associate” and ‘Research Associate,” therefore, do not adequately reflect the qualifications and responsibilities of the holders of these titles; and

Whereas restricting Cornell Senior Research Associates and Research Associates to these two titles may compromise their professional standing and ability to acquire outside funding when competing with individuals from other institutions which have more appropriate titles; and

Whereas restricting Cornell Senior Research Associates and Research Associates to these two titles denies them appropriate recognition and access to a rewarding career path; and

Whereas restricting Cornell to these two titles may put the University at a disadvantage when competing with other institutions, which have more appropriate titles for top-quality researchers,

Be it resolved that

1. The Faculty Senate recommends to the Provost creation of the titles, “Research Scientist” and “Principal Research Scientist.” The net effect of creating these two new titles is increasing to four the number of titles available for researchers: research associates, senior research associates, research scientist, and principal research scientist.

2. If the recommendation is approved, colleges may present to the Committee on Academic Programs and Policies proposals for using the two new titles.

Professor Holcomb said the Committee was established in 2002 by the Senate “to investigate the status and conditions of employment for non-tenure track faculty, including the terms of employment, particularly job security, rights to academic freedom, access to appropriate grievance procedures, eligibility for emeritus status and voting rights.”
The action before the body today is the first installment of reports from this Committee that has covered most of those topics, and its final report will appear very shortly. The membership of the Committee includes a mix of non-tenure track faculty, Senior Lecturers, Senior Research Associates, a variety of faculty people, and a couple of very valuable staff people, in particular Mary Opperman, Vice President, Office of Human Resources.

The Committee focused on those categories of titles which are really very large numbers of people teaching and doing research and public service at this university, namely the Lecturers, the Research Associates, and Extension Associates—approximately 800 to 900 people.

While the natural population of this new category that the Committee is proposing—Research Scientist and Principle Research Scientist—would come from within the university primarily from the present Senior Research Associates, it is certainly true that by no means would all Senior Research Associates be natural candidates to move into these positions. Some of them are actively leading undergraduates in research; some of them have responsibilities that are much more focused on technical support of large research programs.

Questions were raised about differences in titles, duties, and expectations of the positions.

Professor Steven Shiffrin, Law School, made the point that the premise of this resolution is that one size does not fit all. Different colleges might have different expectations as to what particular functions people would be performing. The colleges make proposals to the committee and the academic senate that then comes to the Faculty Senate for approval, so that a proposal in Arts and Sciences might be different from a proposal in Engineering. So what is before the body is whether those titles should be available to colleges, not the specifics as to what would happen with respect to those titles.

Professor Kenneth Birman, Computer Science, said that there is very strong support for creating these titles and using them in Engineering, so the proposal has been under discussion for more than a year now. The hope in Engineering is that these titles, particularly the more senior title of Principal Research Scientist, would be used for a person who might be the equivalent of a professor elsewhere.

Professor Elizabeth Earle, Plant Breeding, asked if the requirements and the opportunities for Research Associates and Senior Research Associates are uniform at the university level.
Provost Biddy Martin responded that there is not uniformity in the way that they are used across the colleges. There is uniformity in certain constraints that govern what you can and can’t do at the university level, such as sign through OSP as principal investigator. But the Faculty Senate couldn’t decide that anyway.

Professor Howard Howland, Neurobiology and Behavior, said that Professor Birman’s description of a Principal Research Scientist sounds like it was just going to be like a Research Professor—a very big step if a Research Professor title is going to be created. That should be debated and addressed straightforward. He added that there is the possibility of using the same title with people who have different privileges in different colleges, and he would not like to see an even greater non-uniformity in using titles.

Professor Birman said the Senate is only being asked to create the titles. There is a very detailed proposal for a policy that would govern the use of the title in Engineering, as an example, that would have to be approved by the Senate. It governs every aspect of the questions that have been raised, and the Senate would have an opportunity to debate those questions and perhaps to reject the proposal or ask for improvements in it before it would ever be approved.

Speaker Norton said that any proposal from a college for implementing the use of these titles would go to the Committee on Academic Programs and Policies, and then to the full Senate.

Professor Vicki Meyers-Wallen, Veterinary Medicine and Biomedical Sciences said she has trouble voting for titles without having guidelines on how that they are going to be used and how they are going to be defined and how they are different from what we already have. What rights do these people have? What are the guidelines? What is their security within these guidelines? She added that she has trouble also with the concept that each college will be coming up with different guidelines. She knows Cornell has non-uniformity, but thinks this is a problem.

Provost Martin said she couldn’t imagine that the Board of Trustees would cede to any committee all rights to decide whether the use of a title should be uniform or non-uniform. In other words, the Trustees are not going to approve this unless there is some dedication to uniformity at least about certain rules and regulations governing the title.

She added that she is not sure about the intent of the resolution. But if the idea is that a Senate committee will approve, college-by-college, ways of dealing with this title, that can’t be done. The Trustees won’t let us. There already exist rules and regulations governing how titles are approved and instituted at the university, which this proposal seems to somehow contradict. Colleges do not have complete discretion about the way titles are used.
Professor Shiffrin said with respect to Clinical Professors, colleges can present to a committee which then sends to the Senate a proposal to establish Clinical Professors as approved by the Trustees, and there are certain criteria that have to be followed in order to do it. Ultimately, the thought of the committee is that this is what will happen here.

Provost Martin said the Clinical Professor example doesn’t seem like a great one because it is not working, and it seems like in its current form, it never will.

Professor Shiffrin said the reason it is “not working” is not because of the lack of uniformity. It is because of the high requirements in order to get it through a committee. If it got through a committee, and you have one in the Vet School and one in the Law School, there would be some distinctions between what those people do, but the Trustees would have set the standards as to what the limitations are.

Provost Martin said the Senate should go back to the Clinical Professor legislation and see if there is a problem. For any title at the university that is approved by the Trustees, there has got to be a certain amount of uniformity. There will be rules and regulations governing what can and cannot be done with it. It is true that different colleges and, even within colleges, different departments, tend to use the title somewhat differently. However, the title still has to have a definition in the bylaws approved by the Trustees that will rule some things in and some things out.

Professor Cornelia (Nelly) Farnum, Biomedical Sciences, said that when the Senate passed the legislation enabling the Clinical Professor title, that that dealt with such things as what kinds of searches would be involved. But how would those individuals be promoted? Would they be eligible for sabbatical leave? Would they have independent access to space? What level of voting rights would go automatically no matter what college they might be in? That is what is missing here.

The Provost said she thought it might be bad university policy to establish titles like Clinical Professor and Research Scientist and say those titles, unlike all other titles at the university, not only have to be approved by the Trustees and have certain rules and regulations pertaining to them, they also have to go through two other steps: to a Faculty Senate committee and then to the full Faculty Senate. She doesn’t feel like she’s heard a great rationale for establishing these titles. In the long-term interests of the university, such a convoluted and highly specific way of using new titles is contravened by the way we have used titles at this university and the way other universities use titles in every other case.

Professor Peter Stein, Physics, moved to refer the motion back to the Committee and ask them to bring it to the Senate again at the first meeting in the fall.

On a vote call, the motion carried.
In October 2004, Associate Professor Brad Anton, Chemical Engineering, moved the resolution as follows:

WHEREAS, the College of Engineering has proposed the new titles of Research Scientist and Principal Research Scientist and;

WHEREAS, the Task Force on Non-tenure Track Faculty has endorsed the creation of these new titles, and;

WHEREAS, the Provost’s Office has proposed guidelines for the use of these titles;

THEREFORE BE IT RESOLVED that Faculty Senate recommends to the Provost and the Board of Trustees that the two titles of Research Scientist and Principal Research Scientist be established as outlined in the following descriptions.

**TITLE DESCRIPTION**

**RESEARCH SCIENTIST/PRINCIPAL RESEARCH SCIENTIST**

Research scientists and principal research scientists are expected to initiate or lead research programs and to create new knowledge at a high level of achievement in an academic area of importance to the academic department. The differences between these titles relate to the balance in the individual’s career between promise and achievement in establishing highly successful independent research programs.

Research scientists and principal research scientists are responsible for initiating or leading research activities; creating and managing research laboratories; seeking funding opportunities, submitting proposals, and fulfilling the terms of research grants and contracts; planning, conducting and reporting on original research; and representing their research groups externally. [Note: upon approval from VP Richardson, which is anticipated with authorization of these titles, add “Persons appointed to these titles may serve routinely as principal investigators on grants and contracts [link URL to PI policy].”]

Research scientist and principal research scientist titles are academic and should not be used for those whose positions are primarily administrative, even if the responsibilities include some research. Administrative responsibilities, however, are unavoidable in creating and managing research laboratories, and this should not be interpreted to preclude appointment to these titles.
Research scientists and principal research scientists are appointed in academic departments. They are not members of the University Faculty. [The following sentence will require amendment of the Bylaws by the Trustees … Research scientists and principal research scientists are non-voting members of their college or school faculty and may be given the right to vote by that faculty. ] [Language to propose to the Graduate School: They are eligible for general membership on the Graduate Faculty if their responsibilities qualify them or if supervision of graduate students makes membership on special committees appropriate; general members of the Graduate Faculty may serve on graduate students’ special committees [link URL].]

Research scientists and principal research scientists normally are not permitted to teach courses for credit. In the event that some teaching of courses for credit is desired by the individual and requested by the appointing department, this teaching must be consistent with the terms of their funding and must be approved by the dean (and, if different, the dean of the college responsible for the teaching). Where teaching is assigned, care must be taken not to shift teaching expense inappropriately to research grants or contracts. In no case should such an individual teach for an extended consecutive period – such an arrangement could indicate responsibilities appropriate to a professorial title [link URL] and should be subject to tenure policies.

Research scientists and principal research scientists must hold a research Ph.D. degree (or foreign equivalent [link URL]) from a reputable accredited institution, in a field appropriate to the position. Proof of Ph.D. conferral may be required [link URL]. To qualify for the title, research scientists and principal research scientists also are expected to have achieved significant stature in the scholarly discipline, to have demonstrated the quality of research accomplishment appropriate to initiating independent research programs, and to have demonstrated a trajectory that promises a continued high level achievement. General appointment restrictions, such as valid visa status, may apply [link URL].

Appointments to these titles must be salaried and are subject to affirmative action/equal opportunity (AA/EEO) search requirements [link URL]. While there may be a transition period before non-university funding supports the position, appointments are expected to be supported by non-university funds; the offering and reappointment letters must state that the appointment may be terminated or modified if funding is withdrawn or reduced. (This wording in the letter does not designate the appointment as “terminal” – a terminal appointment is one in which the appointee is notified that the appointment will not be renewed. Appointments of research scientists and principal research scientists, even on non-university funds, are subject to the provisions of the policy governing notice of non-renewal [link URL].) Provisions regarding start-up funds, facilities and support should be articulated in the initial appointment letter.
An individual may be appointed directly to the principal research scientist title or promoted from research scientist. The line of progression in these titles is limited to principal research scientist and research scientist. There is no routine expectation of promotion from senior research associate. There is no routine expectation of promotion from these titles to senior scientist, a title reserved for appointment of individuals of special distinction. If an out-of-progression title change is warranted, an AA/EEO search or approval of a waiver of search [link URL] is necessary.

Search procedures should follow those used by a department to fill professorial positions. Appointment length for principal research scientist and research scientist may be for up to five years. There is no “time-in-title” limit or restriction on the number of times the appointment to either title may be renewed. Benefits eligibility may be affected by the length and percent-effort of appointment [link URL]. A dossier-based review must be conducted for initial appointment. Through an exception approved by the department chair and the dean, the dossier-based review may be conducted during the first year, with continued appointment contingent on successful review. This dossier shall include letters from confidential external referees [link URL to difference between a search letter of reference and a confidential external referee’s dossier letter], letters from participants in current or recent research programs, an analytical transmittal letter with report of the faculty vote, and the report of an ad hoc committee to advise the dean, who makes the ultimate decision about appointment. Reappointment is based on quality of performance and on the availability of work and funds.

As for all academic titles, reappointment is not a right. Reappointment may be denied for such reasons as resource constraints, unreliable funding prospects, diminished interest in the research area, diminished relevance to the appointing unit’s research mission, or performance.

Promotion from research scientist to principal research scientist is based on quality of achievement, productivity, national and international stature in the field, leadership of the independent research program, effectiveness with colleagues and with participants in the research program, and service to the field. Promotion is not automatic, for example after a particular number of years in title. A formal dossier review is required for promotion to principal research scientist and follows the procedures for the dossier-based appointment review [link URL].

Professor Ken Birman, Computer Science, spoke to the resolution. There is a sense that Cornell doesn’t have sufficiently strong and prestigious looking titles to compete with
peer institutions elsewhere and we must do something about this. The existing title in
the research area in Engineering is Research Associate, which is a soft money position.
Appointments can end if the funding ends, can end if the faculty member associated
with the research area leaves, and it can actually end simply because of a change in
research interest within an area. A Research Associate is a kind of post doc who stays
on and pursues a research career at Cornell. Such a person would almost never teach
and would typically be a full time employee on a project of some sort.

He said the existing titles are felt to be problematic just because of the word “associate.”
And this has to do with the fact that graduate students are research assistants and
within the general community then to be a Research Associate sounds more like a post
doc than it sounds like a senior prestigious, full-time research position. Many of our
colleagues who are very respected, very impressive researchers who are being attracted
by tenured offers elsewhere, feel that it’s awkward to put a badge on at a conference
with their friends who are full Professors and they are a Senior Research Associate. This
has been a problem. There has been uneven application of dossier review in the past
within Engineering, and probably elsewhere on campus. There are some people who
have entered these positions without real research credentials, weakening the perceived
value of having such a position.

Associate Professor Michael Jones-Correa, Government, asked how many people will be
affected, how long they stay, and whether they will be non-tenured.

Professor Birman responded that these positions are non-tenured and that Engineering
has 24 who have Research Associate positions and 20 who have Senior Research
Associate positions, with the longest service being 22 years.

Professor John Guckenheimer, Mathematics, said that the materials sent suggested
Research Scientists would typically be principal investigators and run independent
research programs. The second is that these appointments are specifically supposed to
go to departments and not the centers or other organizations and then, thirdly, there is
no discussion regarding the University providing start-up funds for those positions. He
asked for clarification.

Professor Birman responded that what Susan Steward, drafter of the legislation was
trying to accomplish in the binding to a department had an unintended side effect and
in fact that language is going to be amended slightly to be a department or a research
center. She didn’t want a situation in which appointments could occur directly below a
dean without any intervening structure, and that makes sense. But she chose wording
that seemed to rule out the ACRI, the Theory Center, and programs in Duffield. That
was not intended and that will be adjusted accordingly. She was looking for a multi-
level review structure where there is the equivalent of a department chairman and
faculty but the ACRI and the Theory Center would be a good example of a structure
that does have that kind of decision making capability, still reports to a dean and she’ll obviously deal with these and that’s going to be addressed. That came up today, and as a result, it’s not amended yet.

He said the intent is that the Principal Research Scientist could have a degree of autonomy, but at the same time, counter balances the role of the department or academic/research unit in deciding whether the area is appropriate. If a dean is negotiating to bring a very senior person in who wants to have an independent authority, wants to work with graduate students, but not teach, he/she should have the ability to put start-up funds on the table, but not the obligation.

Assistant Professor Phoebe Sengers, Science and Technology Studies, commented that at Carnegie Mellon University, Research Scientists can get tenure. She wondered whether there are things that Research Scientists will be able to do that Research Associates currently cannot do.

Professor Birman replied that Senior Research Associates are still bound to a faculty member, to an existing group. The intention is to deliberately imagine the type of person, who is brought in to run an independent group, has high professorial stature but won’t be teaching very frequently. It’s intended to carve out a somewhat more independent role. On the other hand, there’s no suggestion that these people will be eligible for tenure here even if the Carnegie Research Professor positions allow that.

Professor Muawia Barazangi, Earth and Atmospheric Sciences, said the diagram shown should have a branch between Research Associate and Senior Research Associate, since the transition requires a dossier review.

Professor Birman said that there certainly should be a dossier review shown and that’s in the definition.

Professor Barazangi said that the body is voting on the idea that these two new titles can be done through research centers and institutions, and not on the way it is written.

Professor Birman replied that that was true. Susan Steward said the wording didn’t quite carry out. She had something intended but the wording she chose has this other side effect. However, it will still be worded, just to be quite clear about that, to not include a direct appointment below the dean. It’s intended to be a two-step process and she chose it partly to get at that notion of faculty or academic scrutiny, which then seems to rule out other academic structures that are currently on campus, and that’s not the intent. But there was intent to rule out a direct appointment reporting only to a dean. Her concern there was that the University has had negative experiences with direct professorial appointments reporting only to a dean.
Professor Barazangi added that the salient point is that if it is not going to change, then the Vice Provost for Research and center directors should be consulted.

Professor Birman agreed, and urged the Senate to do the right thing. He said peer institutions are way ahead on this. There’s a broader dialog the Senate really needs to engage in but the least we can do for our colleagues is to offer them titles that are more analogous to the titles they would enjoy at competing institutions. This is a tough world where we are competing for very, very strong people. We need to do what we can to get them to Cornell.

Professor Lynne Abel, Classics, asked whether everyone who is a Senior Research Associate would be invited to apply, and how it would work.

Professor Birman said the department or center would undertake the process for those who would like to move over, and then eventually take requests to the appropriate dean.

The Speaker opened the floor for debate. She ruled that the exact language of the title descriptions would not be amended because it is not the Senate’s language. The only language that is in front of the Senate is the resolution to recommend adoption of these two new titles.

Associate Professor Thomas Bjorkman, Horticultural Sciences, said one of the problems that this is trying to address is that the title of Senior Research Associate has eroded, in part because of inconsistent dossier review. He said he could see existing Senior Research Associates all wanting to become Principal Research Scientists. In thinking about the department dynamic, there really seems to be no incentive for the department to be particularly rigorous in that review. It’s to their advantage to have people with better titles as well. He expressed concern that the Research Scientist title could suffer the same problems that the Senior Research Associate title has suffered.

Dean Kent Fuchs, College of Engineering, replied there are two levels of check. The department chair has an important role in processing this, as does the dean, before it goes on to the Provost’s Office. He’s sure the department chair and the dean’s office could enforce rigorous review.

Professor Nelly Farnum, Biomedical Sciences, Senate-at-Large, said there is nothing written in the document about Research Scientist and Principal Research Scientist and their right to have sabbatical type leaves.

Dean of Faculty, Charles Walcott, responded that the Non-tenure Track Faculty Task Force Report has now been through the administration and one of its recommendations is that there be a series of paid leaves for people in the non-tenure track ranks. That
poses the problem as to where the money is coming from, but at least in theory the University seems to be willing to consider the possibility. Clearly these ranks that are being proposed would be among those and so it may be that some arrangement can eventually be made for some competition, for example, for a limited pot of funds or some such. That is a matter, which will come back to this body in a few months, in terms of specific recommendations for the Senate to discuss.

The Speaker asked for clarification. Is the assumption that with the creation of these titles, that at least in the sciences where people who could move into these other titles, that the Research Associate and Senior Research Associate titles will largely disappear in the context of the sciences?

Dean Walcott said he is of the opinion that they aren’t likely to and that they serve rather different functions. What you might have is a track where a graduate student stays on as post doc for a couple of years, maybe becomes a Research Associate, and then might conceivably move either to a Senior Research Associate or to a Research Scientist or stay in any title. In other words, there isn’t a limitation. You can recruit people into these two scientist titles, as he understands it. At the moment, the proposal is to add these two titles to the armament.

Professor Farnum said what she likes about this is, it seems to give a possibility that when that one person leaves, the people who are associated with that person as part of a program, would have the ability to continue autonomously. Individuals have been lost who did not have their own funding and have been here for many years simply because the head of a very large research group left. This seems to her to be much more individual oriented, or at least has the possibility of that.

On a vote call, the resolution was adopted with two abstentions.