

# Academic Freedom and Tenure Committee

## Annual Report 2023-2024

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May 6, 2024

### Committee members:

Tom Goyens, Chair

William Folger

Tina Plottel

Eric Rittinger

one at-large vacancy

What follows are the completed charges:

### 1. Guidelines Regarding Offensive Content in Classroom Learning

On March 27, 2023, the Faculty Senate charged the Academic Freedom and Tenure Committee (AFTC) with “working with students to draft guidelines for academic discourse involving offensive language. The guidelines should 1) explain why students may be expected to engage with and discuss materials that include such language as part of their learning and 2) provide professional best practices and guidance for faculty who include such materials in their coursework and class discussions. The draft guidelines shall be presented to the Faculty Senate by the first meeting in November 2023 and submitted to the Faculty Senate President at least one week in advance.” On May 3, 2023, AFTC sent an initial report and endorsed the AAUP Salisbury Chapter’s statement on academic freedom.

This charge was taken up again in the fall of 2023 to create a final version. In crafting the final version, committee members took inspiration and guidance from the AAUP guidelines and policies already implemented at the University of Maryland College Park, which are cited in the final version. One of our recommendations is that SU fully adopts the “Statement of Free Speech Values” approved at UMD-College Park. AFTC solicited feedback and comments from SGA President Wyatt Parks and SGA Diversity Officer Kennedy Spriggs.

The final version was submitted to the Faculty Senate on November 21, 2023, with a motion to accept the statement. The motion passed at the November 28, 2023 session.

### 2. Grievance

The AFTC is bound by a policy of strict confidentiality and, therefore, cannot divulge any specific information or names in this report. A grievance was generated during the Summer of 2023. The committee received the official Senate charge, including the original documents, on August 31, 2023. Summer delays are beyond our control, particularly if cases are pressing when most faculty are off contract. The Senate informed us then that the grievance was “urgent.” The

committee first met to discuss the case on September 12, 2023. At the beginning of Fall 2023, the committee notified the Senate that we operated with one at-large vacancy, though it remains unfilled.

The AFTC began reviewing the case, assuming that the grievant and respondents provided comprehensive documentation and contextual information at the outset. The Faculty Handbook explicitly states that the responses should include “all pertinent information.” Any additional pertinent information after the committee has started reviewing should be sent without waiting to be asked.

After reviewing the documents in September, the committee decided to investigate further by preparing questions for all parties to solicit more information and context. Since one of the parties was on leave, AFTC requested an extension from the Senate, which was granted. After reviewing all information submitted to us, the committee released its decision on December 1, 2023, in favor of the grievant.

On December 11 and 19, 2023, the respondents in the grievance case appealed our decision to the Provost. These appeal letters were not shared with the AFTC, and we were unaware of this appeal until the Provost, who rendered the final decision, requested a meeting with the AFTC. On January 30, 2024, the committee met with the Provost to clarify our decision process. After she reviewed the case, the Provost reversed our decision on February 2, 2024. Only then did the committee get access to the appeal letters by the respondents. The committee found it necessary to respond to specific assertions in the appeal letters regarding our integrity, procedures, expectations, and composition. We submitted this letter to the Provost and the Senate President to be added to the record.

### 3. Tenure Denial Appeal

The AFTC is bound by a policy of strict confidentiality and, therefore, cannot divulge any specific information or names in this report. On February 21, 2024, the Academic Freedom and Tenure Committee (AFTC) received President Lepre’s letter regarding a tenure denial appeal. Per the Faculty Handbook, the AFTC gathered information, consulted with faculty, other committees, some administrators, and the Senate President, and performed an investigation, including written interview questions and one oral interview. During this work, the AFTC identified several procedures and guidelines that need revision—these are listed below. The AFTC submitted its recommendation to the President on May 2024.

### 4. Suggestions for Revising Procedures

The investigations mentioned above have allowed the AFTC to identify several issues with policies and procedures that may need debate and revision.

#### 1. Implementing a development plan for junior faculty making unsatisfactory progress

Many departments have a policy to implement a development or action plan (“Appendix

P”) for a junior faculty after an unsatisfactory annual review. However, this is not a uniform policy across campus and is not stipulated in the junior faculty section of the Faculty Handbook. The Handbook only mentions a development plan in a section about the “Comprehensive Review of Tenured Faculty.” However, the paragraphs explaining the need for a development plan begin with the phrase “as with the annual reviews.” The AFTC believes it is a best practice for department chairs to initiate such a plan to avoid potential grievances and appeals. Such a plan promotes good communication and collegiality and gives the junior faculty an opportunity to improve their performance.

2. Faculty Success platform:

During the tenure application review process, the applicant can post a rebuttal to a review letter. However, once the dossier has moved to the next stage, the reviewer cannot view those rebuttals unless the applicant sends his/her rebuttal to them via a separate email. Therefore, the next reviewers in subsequent stages see only the original dossier without any rebuttals.

3. Notification of a tenure denial appeal:

According to the Faculty Handbook, “when a faculty member wishes to appeal a tenure decision, the faculty member will notify the Provost who will in turn notify the president. The president will then refer the case for review and recommendation to the Academic Freedom & Tenure Committee.” In this process, previous reviewers (such as the Dean, the department chair, and the chair of the tenure & promotion committee) are not notified that an appeal was filed. Since an appeal letter includes specific allegations, it may be advisable that previous reviewers also receive a copy of the appeal letter.

Respectfully,



Tom Goyens  
Chair, AFTC