

SM 9/9/68

*Exec. Secret
L. Smith*

Paper S-126

To: Senate

From: Secretary, Faculty Council.

26 April, 1968.

Subject: Graduate Student Association.

Senate at its meeting of 1 April, 1968, referred back to Faculty Council for further consideration its recommendation that the Graduate Student Association be recognised as a separate organisation.

On 22 April Faculty Council invited I. Spencer, President of the Graduate Student Association, and R. Walsh, Acting Chairman of the Simon Fraser Student Society, to express their opinion as to whether or not a Graduate Student Association should be formed at Simon Fraser University. After hearing the views of the student representatives, Faculty Council passed a resolution that the Registrar prepare a referendum in consultation with I. Spencer and R. Walsh asking whether the graduate students were in favour of

- (a) a graduate student association with complete autonomy, or
- (b) a graduate student association completely subsidiary to the Simon Fraser Student Society, or
- (c) a graduate student association with limited autonomy as an affiliated association of the Simon Fraser Student Society.

It was further decided that if none of these alternatives attained a 50% majority vote, there would be a run-off between the two finding most favour. Faculty Council also expressed their desire to the student representatives that each would present his views to the graduate student body before the referendum was conducted.

It was also agreed that Faculty Council would recommend to Senate that pending the result of the referendum it give de facto recognition to the Graduate Student Association, without prejudice to the final result but to serve the graduate student interests in the meantime.

D. A. Meyers
D. A. Meyers
Secretary, Faculty Council

DAM/md

SM 9/9/68

Paper S-131

Received April 23, 1968

April 23, 1968. J

REPORT OF THE SENATE COMMITTEE ON TERMS OF
APPOINTMENT AND TENURE

This Committee has examined the various developments of attempts to formulate University policy in the areas of appointment, tenure, and conditions of employment. We have considered the CAUT reports, recommendations and criticisms, the Duff-Berdahl Report, the various versions of the Faculty Association Brief, the recommendations of the University Committee on Salaries and Promotions, and the advice of members of the University community including the president.

Within the terms of reference of the present committee our deliberations were on the basis of adhering to three principles: that the procedures established be efficient and direct; that procedures, and decisions arising from their application serve the best interests of the University and do so in a fair manner, protecting the rights of individuals; that they reduce the likelihood of untenable decisions.

Therefore we recommend: that a standing committee of Senate be struck, similar to the Tenure Committee proposed in the report of the University Committee on Salaries and Promotions (page 2, section III, paragraph 5) chaired by the Academic vice-President (or until an appointment is made, by a Dean of a Faculty) which includes three academic members elected by Senate from its members. In addition one member should be

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elected from each Faculty from amongst their tenured members. Other members should be appointed as recommended in the Report.

" The above membership will constitute the central or core committee. When considering tenure of staff members for any specific department, the committee shall add to its membership the Head of the Department or his named delegate, and two other members elected by the department, both of whom should be tenured when possible. In addition, the committee shall have the authority to add to its number one or two tenured members elected from cognate departments by the faculty of the departments concerned, in cases where the committee deems their presence useful."

In practice the Senate Committee would examine the recommendations on appointments, tenure, promotions, and salaries originating in the various departments which have been brought forward to it by the Deans of the Faculties. Its recommendations would then be conveyed through the president (as chairman of Senate) to the Board of Governors. On any "matter of moment" the Committee may refer to Senate for advice, or with sufficient notice Senate may request a report on any matter under the Committee's jurisdiction.

It appears to us that several advantages would result from such a committee structure.

- (1) Senate would be in the position of observing the effects of appointment, tenure, promotion and salaries policy on academic functions of the University.
- (2) Senate could examine contentious issues directly and make its recommendations known, through the President, to the Board of Governors. The prestige and representative nature of Senate would lend weight to the acceptance by interested parties of its recommendations.

SM 9/19/68 *Method of app'l.*

(3) If Senate wished, it could listen to the appeals of allegedly aggrieved parties and make appropriate recommendations.

Some possible objections to a Senate Tenure Committee have been considered by us. We believe that such a committee would not place an additional burden on the work load of Senate. Only exceptional cases are likely to be examined by Senate. It would not function as an appeal board unless it so desired (Senate has previously listened to student appeals.). A Senate Committee on Tenure would not be contrary to the present Universities Act. Discretionary power in appointments, tenure, salaries, and promotions would remain the province of the Board of Governors as always.

Pertinent documents arising from our committee's deliberations are appended.



William Vidaver
Chairman

E. M. Gibson

G. Kirchner

John Matthews

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April 4, 1968.

Revised 7/1/68

REVISED STATEMENT OF THE SENATE COMMITTEE ON TERMS

OF APPOINTMENT AND TENURE

This Committee has continued its discussions on Senate participation in questions of faculty appointments, contract renewals, salary increases, promotions and tenure. Our previous statement was circulated prior to the release of the report of the University Committee on Salaries and Promotions. The present statement results from a consideration of the University Committee's report and evaluation of the comments and suggestions received from concerned parties arising from our earlier proposal.

The principle of our previous suggestion was that there be only one internal committee above the departmental level which deals with the questions in our terms of reference, and that it be a Committee of Senate.

We would like to incorporate the basic idea of the University Committee's report with our first proposal: namely, that a standing committee be struck, similar to the Tenure Committee outlined in the Committee's report (page 2, section III, paragraph 5). Rather than established as a University Committee we propose that it be a Senate Committee, and that it include no less than two members elected from Senate. Also, as a Senate committee it should report to Senate on matters of moment.

Otherwise, we generally concur with the recommendations of the University Committee (with some reservations on minor points).

We are charged to report to Senate at the May 1 meeting. Any comments regarding this proposal must be received by the Committee in making its report. Any comments regarding this proposal must be received by Monday, April 15 to be considered by the Committee in making its report.

William Vidaver
William Vidaver
Chairman

SIMON FRASER UNIVERSITY

MEMORANDUM

SM 9/9/68

Meeting of App'l.

To: Dr. P. D. McTaggart-Cowan
President
Subject:

From: W. E. Vidaver
Associate Professor, Biology Dept.
Date: March 21, 1968.

RE: SENATE COMMITTEE ON TERMS OF APPOINTMENT AND TENURE

The following statement is being circulated by the Senate Committee on Terms of Appointment and Tenure in an attempt to evaluate the acceptability of such a plan as outlined below.

The Committee would welcome any criticism or comment. We are endeavouring to have our report completed in time to submit it at the April 1 meeting of Senate.

William Vidaver
Chairman

WEV/md
encl.

cc to: Members of Senate
Members of the Board of Governors
Members of the Salary and Promotions Committee
Faculty Association Executive
Dean MacKinnon
Dean Funt
Dean Matthews

SM 9/19/68 *Meeting of App'l*

PRELIMINARY STATEMENT OF THE SENATE COMMITTEE ON TERMS
OF APPOINTMENT AND TENURE

Senate clearly has the right and duty to become involved in conditions of faculty employment; this is so because of Senate's responsibilities in setting the academic climate of the University. No university is ever any better academically than is permitted by the quality of its faculty and an agreeable professional climate is essential to the maintenance of a competent faculty. Senate should not necessarily involve itself directly in the procedural aspects of appointments, renewals, promotions and tenure; nevertheless, Senate should oversee all such activities. Such a role for Senate is outlined and recommended in the Duff-Berdahl Report*

Our Committee is of the opinion that the establishment of reasonable policies and efficient procedures for dealing with questions of faculty appointments, contract renewals, salary increases, promotions and tenure are essential to the proper functioning of Simon Fraser University. There are existing agencies which have been concerned with these problems essentially from the very beginning of Simon Fraser University. The background of experience and special knowledge of these other bodies should be put to use in developing satisfying conditions of employment and security which would work for the benefit of the entire University.

*University Government in Canada, Univ. Toronto Press, 1966, pp 36 - 38.

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A concern of this Committee is that at present there is no single agency dealing with the issues at hand, resulting in the confusion of responsibility and authority. We do not believe that this diffusion of effort is likely to lead ultimately to workable solutions and may even cause regrettable conflicts to arise.

We propose that all university agencies presently involved in policies or procedures relating to the topic at hand become disengaged with them, and that the present University Salaries and Promotions Committee be discharged. In place of the Salaries and Promotions Committee, a sub-committee of Senate should be established to advise the President, through Senate, on all revisions of policy and procedure, as well as on the disposition of individual cases relating to terms of appointment, contract renewal, promotions, salary increase (not in terms of actual amounts), and tenure. This committee should also act on recommendations concerning individual faculty members which come to it through established procedures. To make use of present expertise and experience, and to ensure continuity, the make-up of the Senate sub-committee should be as near as possible to that of the University committee.

While maintaining continuity by including many members from the present University Committee, the Senate sub-committee, if necessary, should have additional members elected by Senate to ensure representation of the following:

1. Senate
 - a. Lay members
 - b. Academic members
2. The Board of Governors
3. Department Heads and/or Deans
4. Senior members of Faculty
5. Junior members of Faculty
6. The Faculty Association

As many committee members as possible should be members of Senate.

SIMON FRASER UNIVERSITY

Milna Kip

MEMORANDUM

SM 9/9/68

Dr. W. Vidaver

From The President

Biological Sciences

Subject Your Memo 21st of March on Senate
Committee on Terms of Appointment and
Tenure

Date April 3, 1968

14733-PC

Thank you for asking me to comment on the preliminary statement of the Senate Committee on Terms of Appointment and Tenure. I hope the following paragraphs will be helpful.

I suggest first it will be necessary to make clear whether the statements your Committee plans to make constitute recommendations for changing the present Universities Act, or recommendations regarding procedures that might be adopted forthwith involving operations within the Act. I would like to comment with respect to the latter at this time. I suggest that we can assume that the drafting of the Act was such as to avoid, as far as possible, overlapping or conflicting areas of responsibility between the Board and the Senate. Therefore, I suggest we must take Article 46 (d) as definitive, i. e. that the appointment, the fixing of salaries, and the definition of duties and tenure of office are the responsibility of the Board of Governors. On the other hand, it is quite clear that Senate, through its approval of the establishment or discontinuance of any faculty, department, course of instruction, chair, etc., can clearly influence the academic development and the balance among the faculties. Similarly in Article 54 (k) Senate can make such a recommendation to the Board as may be deemed proper for promoting the interests of the University, etc. It would seem therefore that a Senate committee would be in good form making recommendations to the Board on policy regarding the procedural aspects of appointment, renewal, promotion, tenure, etc., in order as you say to create an agreeable professional climate. The Act, however, does not envisage that Senate would be either directly or indirectly involved in the day to day operation of such procedures.

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There may be some misunderstanding about the present situation. The Faculty Association, as soon as it was formed, started working on a brief on academic freedom and tenure with the knowledge that the Board of Governors would be happy to consider it as soon as it was available, and with the knowledge that our present Handbook had been intentionally a skeleton Handbook to permit early modification to reflect the interests of the faculty. A few weeks ago the Faculty Association presented such a brief to the Board, and the Board referred it through me to the University Committee on Salaries and Promotions in order that we might have the benefit of the Committee most directly knowledgeable of the workings and shortcomings of the present system, in considering the new proposals.

While this consultation was being initiated, Senate established the Committee you chair, with the idea that you would operate more along the lines of a watchdog committee, taking action only if the course of the planned discussions seemed to be in difficulty.

I am optimistic that the planned discussions are moving forward well, and that we will shortly have reached a full measure of agreement. I suggest it would be most unfortunate if in the middle of these discussions we disbanded the University Salaries and Promotions Committee.

Quite apart from the role this Committee is playing in the present negotiations, we will shortly be moving to resolve the salary revisions for this coming year and this Committee has an operational role to play here regardless of the development of new policies and procedures.

I suggest therefore that the committee you are considering would have a number of weaknesses.

It would be far too large if we are to judge by the experience of universities in Canada reflected by the CAUT brief itself, and by the practices at other universities, particularly Edmonton and Saskatoon, to which the CAUT attach particular importance. While I agree that for consideration of the establishment or revision of policy a broadly based committee is desirable for the actual operation or implementation of these procedures and practices, a small committee of those particularly involved seems to be the direction in which experience would indicate we should travel.

I suggest also that membership by the Faculty Association would be a step requiring the serious consideration of that Association, and without desiring to come down on one side or the other, such membership would appear to be at variance with the recommendations of the CAUT Committee Report.

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Finally, I wonder if the most constructive stance for your Committee to take would be to watch the development of the negotiations now going on, and be prepared to comment on them from time to time to help in the final solution. I think this would be more preferable than trying to bring about the formation of another body which would, I am afraid, lead to a delay in the final resolution that we all wish, which is a satisfactory Handbook embodying statements on academic freedom and tenure, and streamlined procedures.



P.D. McTaggart-Cowan

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REPORT OF THE UNIVERSITY COMMITTEE ON SALARIES AND PROMOTIONS AND THE
UNIVERSITY COMMITTEE ON TENURE ON THEIR JOINT MEETINGS, MARCH, 1968

This Committee held a series of three meetings during the month of March to consider recommendations on new procedures for promotions and tenure.

The Committee started with the consideration of the CAUT policy statement of November, 1967, and with the accompanying brief of the Faculty Association of Simon Fraser University.

It was the opinion of the members of the Committee that the procedures outlined in the Faculty Association brief, although modelled initially on the CAUT Report, were too complex and cumbersome to be workable. It was noted, and noted with awe, that several hundred recommendations for tenure and for promotion would be forthcoming within the next year or two, and that the procedures that were to be adopted for the University should be consonant with this magnitude of task, and should take cognizance of the time which might be involved.

For comparison purposes, the Committee assembled relevant material from other universities. These included the Faculty Handbooks or similar materials from the Universities of British Columbia, Alberta, Guelph, Manitoba, Toronto, and several American institutions. A cross index of the relevant material was prepared, and the Committee began its deliberations with this material in hand.

It was decided that the Committee should not attempt to draft the actual faculty bylaws relating to procedures. Instead, it was agreed that the Committee should devote itself to making recommendations on implementation of procedures, outlined within the general context of the CAUT Report. Furthermore, it was agreed that copies of all minutes, deliberations, and reports should be sent to all interested parties, and accordingly these were sent to members of the Board of Governors, the Executive Committee of the Faculty Association, and to all Heads of Departments, as well as to members of the Salaries and Promotions and Tenure Committee.

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The major recommendations of the Committee are as follows:

I. CONTRACTS SUBSEQUENT TO PROBATIONARY CONTRACTS

1. It was agreed that the decision on reappointment for a contract subsequent to the initial contract should be made by the Head of Department, in consultation with senior colleagues.
2. For each department, the composition and membership of the committee of senior colleagues could be established by the department and communicated to the Dean for his approval. Such a committee would consider pertinent cases, stemming from that department.

It was considered that a uniform membership or composition of the committee should not be imposed upon all departments within the University.

3. Recommendations stemming from the department would be received and reviewed by the Dean. In exceptional circumstances, such as when serious disagreement between the Head and senior colleagues in the department is evident, the Dean could refer such exceptional cases to a senior committee for advice. It was emphasized that such discretionary power lay within the Dean's authority, and that this did not in any way imply an automatic appeals procedure for each and every case.
4. Where such a referral was considered necessary by the Dean, it should be made to the Tenure Committee.

II. TENURE COMMITTEE

The Constitution of the Tenure Committee which is to be a standing committee of the University is defined as follows:

5. The University Tenure Committee will consider all awards of tenure in the University. The Committee will consist of:
 - the Vice-President (Academic), or a Dean of a Faculty as Chairman.
 - two members elected by each of the Faculties of Arts, Science and Education from amongst their tenured members of staff. (Alternates may also be elected).

The above membership will constitute the central or core committee. When considering tenure of staff members for any specific department, the committee shall add to its membership the Head of the Department or his named delegate, and two other members elected by the department, both of whom should be tenured when possible. In addition, the committee shall have the authority to add to its number one or two tenured members elected from cognate departments by the faculty of the departments concerned, in cases where the committee deems their presence useful.

6. It was agreed that the Head of the Department, or the corporate University as such, should not be required to state reasons for non-reappointment.

III. APPEAL

7. Appeal could be made to the Dean on the basis of procedural methods employed within the department.

8. A decision formulated properly within the department and supported by the senior colleagues in the department and by the Dean should have no further provision for appeal procedure within the usual administrative channels of the University.

IV. INITIAL APPOINTMENTS AND TERMS THEREOF

9. It was recommended that for Assistant Professors, the normal pattern of appointment should be a probationary appointment of three years length, followed by a maximum of two successive two-year appointments.

10. For Instructors, the probationary appointment recommended is that of two years length.

V. APPOINTMENTS FOR CONTRACTUALLY LIMITED TERM

11. The Committee recommends the study of the short-term contracts for:

- (a) sessional lecturers;
- (b) contracts dependent on outside grants.

12. Some guide lines regarding types of appointments were circulated to Committee members in the form shown in Appendix A, but these were not considered in detail or ratified formally.

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VI. PREAMBLE TO THE CAUT BRIEF

13. The Committee's recommendations and deliberations did not include those sections of the preamble of the CAUT Report which referred to methods of election and terms of office of senior administrative officials within the University. The Committee considered that such matters were outside of its terms of reference, and were under study by another committee.

14. The Committee invited comments on its findings from the Executive of the Faculty Association and indicated its willingness to meet with the Faculty Association or any committee of the Board who might wish to do so.

B. L. Funt, Chairman
R. J. Baker
B. P. Beirne
D. G. Bettison
G. Bursill-Hall
P. Copes
A. B. Cunningham
J. F. Ellis
R. R. Haering
R. J. C. Harper
R. Harrop
G. Kirchner
A. R. MacKinnon
A. MacPherson
T. J. Mallinson
J. Matthews
P. D. McTaggart-Cowan
C. D. Nelson
B. D. Pate

This report has been drafted by the Chairman for consideration and approval by the Committee members.

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1. Term appointment

To fill a specific need that is temporary or not necessarily continuing, or to meet a continuing need temporarily until a better-qualified applicant becomes available, or to see if an apparent need is actual.

Filled by appointment or re-appointment at the Departmental level.

Duration, which must be specified in advance, anything up to, but not normally over, two years.

Separation by termination of specified term.

Incumbent has no right to appeal termination or non-re-appointment.

Incumbent can be dismissed for cause, and then may appeal to Dean.

2. Probationary appointment

To fill a specific and apparently continuing need for which the incumbent has not yet adequately demonstrated or developed the abilities required to fill that need, or to allow for the possibility that the need may not prove to be actually continuing or not to be as important as other needs for the position that may appear.

Filled by appointment, initiated by the Department and supported by the Dean.

Duration not less than two and preferably three years at assistant professor level because: incumbent must have a minimum of six months notice of separation (longer at certain times of the year), three teaching semesters in which to demonstrate or develop adequate teaching ability, and two years to demonstrate ability to do independent research; and because his Department should have two years to demonstrate clearly whether or not the needs for the duties are continuing. The probationary period could be reduced to one year for incumbents who have already demonstrated adequate teaching and research abilities, and who merely need to demonstrate an ability to fit in co-operatively.

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Filled by appointment or re-appointment. Re-appointment of an individual to the same probationary position should terminate either in appointment to a tenured post or separation.

Separation by termination of appointment, for reasons acceptable to Dean, but without necessarily a specified cause, or by dismissal at any time for cause.

Incumbent may appeal to Dean level.

Termination of probationary appointment otherwise followed either by re-appointment or by appointment to a tenured position (often in practice by conversion of a probationary to a tenured position).

3. Tenured appointment

To fill a specific and continuing need for which the incumbent has demonstrated the required abilities and the willingness to use them.

Appointment normally from (or by conversion of) a probationary position, rarely by initial recruitment. Appointments should be approved at the university level.

Duration continuing until separation by retirement, voluntary or encouraged resignation, demotion, or dismissal.

Incumbent may be dismissed or demoted to a probationary position for cause acceptable at the university level.

4. General Comments

It might be advisable to relate duties and terms of employment to a position rather than to its incumbent. The incumbent would then know clearly in advance his terms of employment and his rights. An unsatisfactorily tenured employee might be encouraged to resign by changing the terms of reference of the position if opportunity permits. Of course the terms can be adjusted in advance to fit a prospective candidate that we want.

Senior administrative positions (Department Heads and upward) perhaps should not carry tenure, though an incumbent may hold tenure as a faculty member. Perhaps the incumbent's performance should be evaluated every five years, followed by

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his renewal or replacement, or he has the opportunity to step down without criticism every five years.

I agree emphatically that all committees should be kept small, preferably to about six members and never over nine.

Bryan P. Beirne.

RPB:ah