

BACKGROUND INFORMATION ON EARLY TENURE
Submitted by Interim University Provost Jane Bowers
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Early tenure may be granted subject to the CUNY Bylaws, which provide in relevant part:

Appointments on or after September 1, 2006 – A person appointed to the title of professor, associate professor, or assistant professor may be granted early tenure by the board in its discretion, under these bylaws, after not less than one nor more than seven years of continuous satisfactory service on an annual salary basis, when such service is interrupted by the period of a fellowship deemed by the college valuable to it, when for a very substantial reason the college would be well served by such early grant of tenure or when the person has had tenure in another accredited institution of higher learning. (CUNY Bylaws, Article VI: Instructional Staff > Section 6.2 Permanent Instructional Staff—Tenure)

CUNY OAA takes the highlighted phrase to mean that deference should be given to the colleges to determine when they would be well served by a grant of early tenure and that early tenure is the exception rather than the rule, to be granted only for “substantial” reasons.

Judgment of the College

A number of years ago, decision-making authority regarding faculty personnel matters was moved from OHRM to OAA in recognition of the fact that faculty worthiness for appointment, reappointment, tenure, and promotion was an academic judgment, best left to the Chief Academic Officer of the University rather than the Vice Chancellor for Human Resource Management.

Faculty personnel decisions are distinguished from staff personnel decisions by a reliance on peer evaluation. The judgment of one’s peers is often dispositive in faculty appointment, tenure, and promotion. This evaluation begins with the practice of scholarly journals and presses and federal funding agencies of sending manuscripts, proposals, and applications out for review by experts in the candidate’s field before making a decision to publish or fund. Consequently, every candidate for promotion and tenure is expected to present a body of work that has already been peer evaluated.

Additionally, for each candidate for promotion and tenure, colleges solicit multiple letters of external evaluation (six to ten) from experts in the candidate’s field, who are tenured, often senior, faculty at other universities. Recent candidates for early tenure have had letters from faculty at such institutions as the University of Pennsylvania, Indiana University, the University of Tennessee, University of Connecticut, Rutgers University, Virginia Tech, University of Utah, New York University, University of Wisconsin, University of Illinois, University of Ottawa, University of Leeds, Cornell University, University of Minnesota, University of California, Bowdoin College, and Ohio State University. A key stipulation is that these evaluators not be friends, colleagues, collaborators, mentors, or co-authors of the candidate. The evaluator attests in the letter of evaluation itself that he or she knows of the candidate primarily through the candidate’s work and not through a personal or even professional relationship. The letter writers review and fully discuss the candidate’s scholarship and make a judgment as to whether or not the scholarly record is worthy of tenure and promotion. Many letter writers state explicitly whether at

their institutions these candidates would receive tenure and promotion. OAA does not share the letters directly with the FSA Committee since they are confidential, and the identity of the writers and the contents of their letters should not be made public. This promise of confidentiality is customary and is a way to ensure that the letter writers will be perfectly candid.

After reviewing the peer-reviewed scholarship and the external letters of evaluation, tenured faculty in the candidate's department and disciplinary school and on the college-wide personnel committee vote on the tenure and promotion. The next level of review is the Provost and the President of the college, who make independent decisions, informed by and deferential to the previous peer evaluations by content area experts to which the case has been subjected. Finally, in cases of early tenure, the supporting materials have been reviewed by the University Provost, who makes an independent judgment that is informed by the many layers of previous peer evaluation.

No case of early tenure reaches the committee unless it has gone through this rigorous, multi-level process of peer review.

Substantial Reason

OAA has interpreted the phrase "substantial reason" to mean that early tenure is to be granted only in exceptional cases and for good reason. OAA has informed College presidents and provosts about the high bar and the exceptional circumstances in which such requests will be considered.

Candidates may be exceptional because they have already exceeded the college's standards for tenure with the prodigious quantity of their work or its exceptionally high quality, or both. In certain disciplines, candidates may be exceptional because of the impact their work has had on the field of practice and policy. Finally, candidates may be deserving of early tenure, not only because their work meets or exceeds the college's standard for tenure, but also because they have had a productive career prior to joining the faculty, during which they developed a scholarly portfolio of publications and presentations.

In signing the "Request for Faculty Personnel Action with a Bylaw Waiver," the Provost of the early tenure candidate's college certifies that the request is "for the good of the institution."