

**University Faculty Senate
Minutes of Meeting
May 9, 2018**

The University Faculty Senate met on Wednesday, May 9, 2018 in the Coolidge Room, Medford campus, with remote locations in Boston and Grafton. Present at the meeting were Gillian Beamer, John Castellot, Ginny Chomitz, Toni Chayes, Brent Cochran, Janet Forrester, Roger Galburt, Fulton Gonzalez, Eulogio Guzman, Andy Hoffman, Jeff Hopwood, Rob Jacob, Vida Johnson, Jette Knudsen, Anne Mahoney, Will Masters, Nirupa Matthan, Mitch McVey, Ali Muftu, Pearl Robinson, Roman Schumann, Lee Sillin, Chris Swan, Roger Tobin, Larry Weiss, Norbert Wilson, and Henry Wortis. President Jeswald Salacuse was not able to attend due to illness so Vice President Lynne Pepall presided over the meeting. *Ex officio* members Interim Provost Deborah Kochevar and Vice Provost Kevin Dunn were also in attendance.

After attendance was called and the senators were welcomed to the meeting, a motion was called to approve the minutes of the April 11, 2018 meeting. The motion was approved.

The standing committees then gave their reports.

John Castellot reported on behalf of the Committee on Nominations. The committee's current task is to come up with a recommendation for a slate for the Executive Committee that it can put forward at the first meeting of the next academic year. Nominations from the floor will also be invited but the committee reminds the Senate that there is a significant constraint whereby no more than one member from each school can serve on the Executive Committee, so the Nominations Committee is seeking to select a slate that provides balance, representation from schools who haven't been on the Executive Committee yet, and some continuity.

The committee also reflected on the process by which they engaged the Senate in collecting names to put forward to the president as potential members of the provost search committee. In the future, it would be desirable to have five to six weeks of lead time to develop such a list, and the list can then be reviewed by both the executive committee and the full Senate before it is passed forward. The Nominations Committee agreed to draft a written procedural document so that the senate can formalize a process both for *ad hoc* requests and for more standard requests such as nominations to trustees committees. John asked for an update regarding the request to increase the faculty membership on each trustee committee from two members to three members. Kevin Dunn will get an update on the status of the request, which was in progress under David Harris' leadership.

Larry Weiss then reported on behalf of the Budget Committee. Lynne Pepall will chair the committee once Larry steps down as a senator, effective after this meeting. A senator from the medical school commented on the committee's report at the April 2018 Senate meeting that gave a summary of the medical school's financial status as seen by central administration, specifically Tom McGurty and Jim Hurley. The minutes should reflect that the report distributed at the April 2018 meeting was a description of the financial view as given to the Budget Committee by

central administration, and did not represent the opinion of the Budget Committee itself. Lynne Pepall invited the senators from the medical school to draft a response to the report of the Budget Committee so that it is included with the Senate's official records. Several senators asked that the report distributed by the Budget Committee be clearer stating that the summary of the medical school's financial status is a summary of the views of the administration. According to Chair Larry Weiss, the Budget Committee did not audit, assess or verify the statements contained in the document, which was created as a result of a conversation the committee had with Vice President of Finance & Treasurer Tom McGurty and Executive Director of University Budgets Jim Hurley. They simply met with these members of the administration, wrote a summary of the meeting and asked Tom and Jim to verify that the written report accurately reflected their conversation.

A motion is made that the medical school faculty develop a rebuttal to the Budget Committee report. This rebuttal can then be presented to the Budget Committee who can report back to the full Senate. The motion seconded and then approved.

Chris Swan reported on behalf of the Faculty Affairs Committee and stated that in the interest of time they have nothing to report so that they may engage in the discussions regarding the third agenda item, the medical school recommendation that was brought forward to the committee by the medical school faculty.

Nirupa Matthan reported on behalf of the Research Committee. The committee continues to strengthen their relationship to the Office of the Vice Provost for Research (OVPR). They met with the Director of Business Operations Kara Charmanski and the Assistant Provost of Research Administration & Development Zoya Davis Hamilton to better understand the restructuring of the OVPR. The discussion revolved around the roles and responsibilities of the staff and then the committee asked questions and communicated concerns on behalf of the faculty regarding the Research Administration System's (RAS) roll-out and the flexibility of the software. Zoya also talked about their annual survey process to gauge faculty satisfaction. The committee suggested providing feedback on the survey questions that will go out to all faculty. Zoya then distributed the draft survey and incorporated some of the committee's suggestions into the final survey before distributing it to all faculty. Some committee members felt that although the conversation was pleasant and productive, their input was not actually used by the OVPR. Nirupa said that she would follow up with OVPR to see if the School of Arts & Sciences received the same follow-up information as faculty in other schools did.

Melissa Mazan reported that the Educational Affairs Committee had nothing substantive to report at this time.

The senate then moved into a discussion regarding the medical school resolution, as revised and put forward by the Faculty Affairs committee, which read:

Recommendation:

"The Senate does not wish to interfere in the budgetary processes of individual Schools. However, the Senate does have a clear interest in preserving the value of tenure at Tufts as articulated in the University Bylaws. Therefore, the Senate is asking the Faculty

Affairs Committee to examine the issue of tenure and to make recommendations in September 2018 that will facilitate the understanding of the rights and obligations of faculty with tenure across all University Schools. Concurrently, the Senate recommends that no substantive changes be made in policies affecting tenured faculty at any of the individual Schools until the Faculty Affairs Committee makes such recommendations.”

A document titled “Essential TUSM History/Time Line on Faculty Salary and Space Policies” was distributed in advance of the meeting. John Castellot explained to the senators that the meaning of tenure across the university is the main idea to consider. Once John met with the Faculty Affairs committee who agreed to deliberate on this issue, they requested that they move the September deadline to produce a report to an October 2018 deadline instead. By this time, the committee hopes to be able to provide suggestions for general principles and guidelines regarding tenure that can be implemented across the university. John reiterated that the focus should not be on the budgetary issues at the medical school, but rather on any policies implemented as a result of those financial issues that may have a drastic impact on the meaning and value of tenure. The recommendation asks that the Senate have a chance to weigh in when proposed policies at any of the Schools may lead to the degradation or removal of tenure.

The Faculty Affairs committee will use the university’s Academic Freedom, Tenure and Retirement policy as a starting point for their discussion. Chris explained that this policy needs to be explored in order to understand how it is implemented across the various schools in order to inform the committee and help them determine a set of principles to recommend to the administration that can be applied uniformly across the schools. It is possible that these principles or guidelines would necessitate faculty bylaws changes at each of the schools. Lee Sillin, as a member of the Faculty Affairs committee, added that it is necessary to not only look at the university’s existing policy, which is brief, truncated and incomplete, but it would also be important to look at tenure in a historical and scholarly context. He also suggested looking at other universities to see what tenure means and has meant to them and what the implications are. He stated that if the definition of tenure means different things to different people, the trustees may have intended it to mean one thing but the faculty may have perceived it to mean something different. As a consultative body, if the Senate is to make recommendations on tenure to the administration it will need to understand tenure in a broader context as well as what it has meant specifically at Tufts.

Senators discussed the fact that the university policy addresses termination much more than it defines what tenure guarantees to faculty. It is unclear if tenure guarantees that faculty have the ability to do meaningful work, if it guarantees financial security, or if it entitles faculty to laboratory space to do research. Some senators expressed a desire for the Faculty Affairs committee to explore what the university is responsible for as it relates to tenure, such as an obligation to provide an environment in which a faculty member can be productive, or even the encouragement of tenured faculty to do so. Currently, all of the Schools besides the Cummings School of Veterinary Medicine offer tenure to their faculty and it would be helpful to understand the context in which tenure has evolved at the university.

The discussion moved to the urgency of addressing the resolution in advance of the Faculty Affairs committee taking up the work of determining a set of guiding principles for tenure at the

university. Further implementation of policies at the medical school which will have an impact on lab space will take effect on July 1, 2018. The recommendation being put forward by the Faculty Affairs committee as currently written implies that no new policies should be implemented until the Senate can take up the matter of tenure across the university, but there was concern that the current language does not make it clear that implementation of a next phase to the medical school's plan is implied in the recommendation.

A motion was put forward to edit the language of the recommendation to clarify its intent. The motion was accepted.

After discussion the recommendation was revised to read:

“The Senate does not wish to interfere in the budgetary processes of individual Schools. However, the Senate does have a clear interest in preserving the value of tenure at Tufts as articulated in the University Bylaws. Therefore, the Senate is asking the Faculty Affairs Committee to examine the issue of tenure and to make recommendations in **October 2018** that will facilitate the understanding of the rights and obligations of faculty with tenure across all University Schools. Concurrently, the Senate recommends that no major changes in policies and practices **that substantially impact the ability of tenured faculty to carry out their responsibilities at any of the individual Schools be made until the Faculty Affairs committee makes their report.**”

A motion was made to accept the revised recommendation language. The motion was seconded and after discussion, it was voted to accept the revised recommendation language. The revised recommendation was then voted on and accepted by the senate.

After this vote to accept the recommendation and put it forward to the administration, the senators reiterated the fact that they are a consultative, deliberative body and that they can only make recommendations. This recommendation will come from the Senate and will be put forward to the Provost and President to share with the trustees of the university. The senators were reminded by Lynne that the recommendation being put forward is asking for the Senate to have the time to take up this issue and report back to the Senate and the faculty of each of the Schools. Some senators agreed that this issue is not about dealing with any one school's budgetary problems but rather what happens to the meaning, value and implied security of tenure in the face of budgetary issues and cuts at the university. If the recommendation that is forwarded to the administration is accepted, it gives the Senate time to deliberate on the issue before any potential impacts to tenure happen to faculty at the university.

The meeting adjourned at 9:30am.

Respectfully submitted,

Melissa Mazan
Secretary of the University Faculty Senate

Essential TUSM History/Time Line on Faculty Salary and Space Policies

Before 2004, letters of hire and tenure/promotion letters did not contain statements re “expectations” for grants or other external funding for salary or research.

From 2004 on at TUSM, letters of hire and promotion/tenure letters contained a statement of “expectations” of, but not a “requirement” for, grant success and salary recovery. These letters differed in the % of salary recovery expected within and without the existing seven Departments at that time, ranging from 40-50% until 2017. As of July 2015, TUSM consolidated its research-based departments from seven into four and letters of hire consistently state 50% as the expected (not required) external salary recovery rate for incoming faculty.

In early December 2008, the TUSM Dean announced a new salary policy that was formulated in conjunction with the Chairs that would take effect July 2009. It was based on a retroactive look at a faculty member’s salary recovery from external grants for the past 3 years. A faculty member who had received a 3-year average of <15% of his/her salary from external grants prior to July 2009 would be subjected to a one-time 25% pay cut, and this formula was applied to all tenured faculty going forward until the current salary policy was adopted in July 2017. Following implementation of this policy, the TUSM Faculty Senate sent annual letters to the TUSM Dean for several years stating the TUSM faculty’s rejection of the salary plan (sample letters available).

In 2015, the TUSM Faculty Senate and the TUSM Dean convened a faculty-administration committee that was charged with developing a new salary policy for tenured faculty. The Executive Administrative Dean, two of the four Department chairs, and several senior faculty were members of this committee. Following a year-plus of regular meetings, the committee promulgated a salary plan that was tentatively accepted by the Dean and narrowly passed a “straw vote” of the tenured faculty (approximately a 55-45 majority). This plan provided both incentives and penalties based on salary recovery on grants, and set a base salary of \$118,000 for Professors and \$90,000 for Associate Professors. These base salaries were based on University-generated data of the average 9-month salaries in Biology and Chemistry in A+S.

As the proposed salary policy approached a formal vote by the TUSM basic science faculty in 2016, the University and TUSM Administrations announced that new financial projections indicating higher TUSM deficits had rendered the proposed faculty-administration plan no longer viable. TUSM administration then formed a committee of Deans and Chairs to promulgate a new salary policy, as well as a new “space policy” for allocating lab space. Faculty received regular updates but did not have direct input into the final.

Currently, letters of offer consistently state an expectation (but not a requirement) for obtaining 50% of one’s salary from external grants. The current salary and space guidelines are attached. Approximately a quarter of TUSM faculty members received a 10% pay cut in July 2017. Approximately one-third will receive a 25% salary reduction and/or FTE cut as of July 1, 2018.

Faculty senate budget committee report of meeting on 3/15/2018

Boris Bacanurschi, Jeffrey Hopwood, Anne Mahoney, Lynne Pepall, and Lawrence Weiss (chair)

The faculty senate budget committee continues to review the budgets of individual schools to obtain an understanding of the financial issues facing the University and create a structure for providing a link between the university financial office and faculty.

We had a second meeting with Thomas McGurty (VP of Finance and Treasurer) and James Hurley (Budget Director) on March 15, 2018. During this meeting we discussed the budgetary issues at the medical school, AS&E and the overall University budgetary process.

The Medical School/Sackler

The Sackler School is fully integrated into the Medical School as a budgetary unit (essentially the medical school funds the Sackler school). The Sackler School has its own bylaws and governance structure, but does not employ faculty. All faculty in Sackler have primary appointments in other schools at the University, including AS&E, Friedman, Cummings, and a majority in the Medical School. Sackler itself generates no net revenue. On a pure revenue, net of stipends basis, Sackler is on the Medical School budget as a line item cost.

The medical school has done a great deal to develop new revenue (e.g., a program with Saudi Arabia, a new master in biomedical sciences, a new program for physician's assistants – all very lucrative) and is considering additional new programs (e.g., physical therapy). Its tuition is among the highest in the country and during the last accreditation the school was cited for the high indebtedness of its students which is working to lower.

Tufts has no direct subsidies across schools but the University has historically covered individual school deficits for short periods of time. For example, the Veterinary School, Dental School and School of Nutrition all were once in a deficit position but now have a surplus. The Medical School is different.

On a budgetary basis, the Medical School has, over 11 of the last 13 years, had a deficit running between \$1-2 million to \$5 million. The deficit in the current year will be about \$7 million (off a budget of about \$145 million). One major element has been a decline in the productivity of faculty research, funding, and teaching. Approximately 23% of tenured faculty have no funding. The number of funded laboratories to place Sackler graduate students has declined significantly. 90% of teaching is done by clinical affiliate faculties (non employed faculty). The salary reduction currently being discussed represents about \$1.2 million in cost reduction next year. It is a phased in reduction of up to 25%, it varies by faculty member, starting this July and then a potential additional 25% (i.e., 50% total) the following year. Without new revenue and cost reductions, the Medical School deficit will grow to exceed \$10 million within the next 2 to 3 years.

The Medical School faculty have received reports for many years about the state of the school and its structural issues. In the past, the University accepted the efforts made by the Medical School to reduce its deficit and did not push for larger more painful reductions. The current salary reduction plan is part of reducing the Medical School's growing deficits during a period when other schools at Tufts are experiencing declines in their surpluses.

Arts, Sciences and Engineering (AS&E)

The AS&E deficit, initially projected at \$7 million, is now projected to be under \$1 million in the current year and back into a surplus within 2-3 years.

The major factor in the deficit was costs of the new CLIC and SEC complex (about \$5 million for the former and \$7 million for the latter) and master degree tuition and financial budget shortfalls. The facility costs were expected but assumptions on increased revenues and expense reductions to offset these costs did not materialize (e.g., increased growth in master's programs, reduction in financial aid, broad expenditure reductions).

To compensate the undergrad enrollment was increased by 100 (across AS&E) which reduced the current deficit by approximate \$4 million (i.e., to about \$8 million). Then budgetary items were cut across departments and deans, there was additional fundraising, and one-time revenue items (e.g., licensing, sale of assets) which further reduced the deficit to about \$700,000.

Going forward, the entering class size will remain at the higher level (e.g., total undergrads will continue to increase for the next three years). At the same time, more students are studying abroad, there are early graduations and transfers, so this is not a one-one increase. Also, the higher level of students will have some additional costs. The net result is AS&E should have a balanced budget In FY 2019 and a surplus by 2020 or 2021.

Also, the cost of The School of Museum of Fine Arts (SMFA) is currently in a separate budget and not part of the AS&E budget. The university is covering its current deficit and expects it will have a balanced budget by 2021 (and then show surpluses) at which time it will be rolled into the AS&E budget. The SMFA is under budget on the cost side, but fewer students are currently enrolled than forecast. The applicant pool for 2019 is increasing with the 2019 targets expected to be achieved. The idea of the merger is essentially one of a turnaround. With Tufts operating the school there will be significant cost reduction taking advantage of administrative support already in place at the University

Budgetary Time Line

The budgetary time line for the University begins in November when central releases to the schools its set of planning assumptions. The schools are involved in developing these assumptions so there are usually no surprises for the schools. The schools then develop their budgets which are analyzed and assembled by central. A report is prepared in January and given to the board in February. The final budget is assembled at the end of March beginning of April. It is finalized in April and give to the board for approval in May.

Going forward the Senate Budget Committee will be apprised of the process at each of these stages and report back to the Senate.

Policy on Academic Freedom, Tenure and Retirement
of the Board of Trustees of Tufts University
Revised Policy

Academic Affairs, February 7, 2014
Board of Trustees, February 8, 2014

I. Academic Freedom and Tenure

Academic freedom is essential to the free search for truth and its free exposition and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental, not only to the advancement of truth but for the protection of the rights of the teacher in teaching and of the student to freedom in learning as well. It carries with it duties correlative with rights.

Tenure is a means to a certain ends, especially:

- (1) Freedom of teaching and research and of extramural activities, and
- (2) A sufficient degree of economic security to make the profession attractive to men and women of ability.

II. Academic Freedom

- (a) The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic duties; but no regular activity for pecuniary return shall be engaged in without the approval of the university.
- (b) The teacher is entitled to freedom in the classroom in discussing his/her subject, but should be careful not to introduce into his/her teaching controversial matter which has no relation to the subject.
- (c) The college or university teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he/she should be free from institutional censorship or discipline, but the teacher's special position in the community imposes special obligations. As a person of learning and an educational officer, he/she should remember that the public may judge the profession and the institution by his/her utterance. Hence, he/she should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he/she is not an institutional spokesman.

III. Academic Tenure

- (a) Initial appointments of faculty members in schools in which tenure appointments may be given are ordinarily made for successive terms in a probationary period. At the end of such probationary period a full-time faculty member will, subject to the provisions of paragraph (d) of this section III, be granted an appointment with permanent or continuous tenure, unless he/she is notified in writing to the contrary prior to the beginning of the last year of the probationary period. Thereafter the services of the faculty member will be terminated only for adequate cause, or under extraordinary circumstances because of bona fide financial exigencies or program discontinuance or resignation or retirement.
- (b) The probationary period is hereby defined as seven (7) years of full-time service for the Faculties of Liberal Arts and Jackson, and Engineering, the Friedman School of Nutrition and Policy, and the Fletcher School of Law and Diplomacy provided, however, that it may be extended for a period not exceeding three years for a faculty member who at the time of employment did not have his/her Ph.D. or its equivalent, if the university and the faculty member agree in writing at the time of employment to such an extension; and the Friedman School of Nutrition Science and Policy. For the Dental School and the Basic Science Departments (i.e., Developmental, Molecular and Chemical Biology, Integrative Physiology and Pathobiology, Molecular Biology and Microbiology, and Neuroscience), of the School of Medicine, the probationary period is hereby defined as ten years of full-time service. In all schools in which tenure appointments may be given, except the Fletcher School of Law and Diplomacy, there may be credited as a part of such probationary period full-time service as a faculty member in all other institutions of higher education not exceeding three years in the aggregate unless the university and the faculty member agree in writing at the time of employment that a longer period of such service will be so credited.
- (c) Permanent or continuous tenure may be awarded by the university prior to the expiration of the probationary period.
- (d) In order to be eligible for permanent or continuous tenure a faculty member must:
 - (i) Be serving the university full-time as a faculty member.

In the School of Medicine, this is interpreted to mean strict full-time faculty members whose major professional commitment is to the Basic Science Departments of the School of Medicine and, where appropriate, to an affiliated institution, whose locus of

professional activity is at the school or affiliated institution and whose salary is guaranteed by the school.

- (ii) Have the unmodified rank of professor, associate professor, assistant professor, or instructor (except that of assistant professors and instructors in the Basic Science Departments of the School of Medicine, and assistant professors and instructors in the School of Dental Medicine shall not be eligible.) A faculty member whose title includes the words “of the Practice” will not be considered to have an unmodified rank.
- (iii) Have a full-time appointment on the faculty of any of the following:
 - (1) Liberal Arts and Jackson, and Engineering.
 - (2) Fletcher School of Law and Diplomacy.
 - (3) The Basic Science Departments (i.e., Developmental, Molecular and Chemical Biology, Integrative Physiology and Pathobiology, Molecular Biology and Microbiology, and Neuroscience), of the School of Medicine.
 - (4) School of Dental Medicine, unless the university and the faculty member of that School agree in writing that he/she is not eligible for permanent or continuous tenure.
 - (5) Friedman School of Nutrition Science and Policy.
- (e) During the probationary period a faculty member shall not be denied the academic freedom that all members of the faculty have.
- (f) In the case of a termination for a cause of appointment with permanent or continuous tenure, or a dismissal for cause prior to expiration of a term appointment, the faculty member concerned will be entitled to a hearing upon request. In such event, the faculty member shall be informed in writing before the hearing of the charges against him/her and shall have the opportunity to be heard in his/her own defense by all bodies that pass judgment upon the case. He/she will be permitted to have with him/her an advisor of his/her own choosing who may act as counsel. There shall be a full stenographic record of the hearing available to both the university and faculty member unless both the university and the faculty member waive the requirement. In the hearing of charges of incompetence, the testimony should include that of teachers and other scholars, either from his/her own or from other institutions. A faculty member having an appointment with permanent or continuous tenure who is dismissed for reasons not

involving moral turpitude shall receive his/her salary for one year from the date of notification of dismissal whether or not he/she is continued in his/her duties at the institution.

IV. Nonreappointments Not Involving Tenure

- (a) In all cases not involving Tenure where a full-time faculty member is not to be reappointed following one year or more of service, the university shall give written notice to the faculty member that he/she is not to be reappointed as follows:
 - (i) not later than March 1 of the first academic year of service in the university if the appointment terminates at the end of that year or, if the initial one-year appointment terminates during the academic year, not later than three months prior to the date of its termination.
 - (ii) not later than December 15 of the second academic year of service in the university if the appointment terminates at the end of that year or, if an initial two-year appointment terminates during an academic year, not later than six months prior to the date of its termination; or
 - (iii) not later than twelve months prior to the date of termination of an appointment if the appointment terminates subsequent to the completion of more than two years of service in the university.
- (b) Continuous term appointments for clinical faculty may be made in the Cummings School of Veterinary Medicine for periods of up to three years for Associate Professors and up to five years for Professors. Continuous term appointments are automatically extended each year for a period of one year. If a decision is made not to extend the appointment, the university shall give written notice to the faculty member that the term is not to be extended further not later than two years before the expiration of the term in the case of three year appointments and not later than four years before the expiration of the term in the case of five year appointments.
- (c) The provisions of this policy with respect to non-reappointment will apply to research faculty members, except that in each research faculty members' appointment letter, it will be specified that the individual is expected to obtain his or her full compensation and associated indirect costs through external grant or contract support. The appointment terminates at any time the full external support terminates or is reduced to a level which is insufficient to provide full compensation and associated indirect costs.

V. Academic Year

The academic year of the Faculty of Arts, Sciences, and Engineering, the College of Special Studies, the School of Dental Medicine, and the Friedman School of Nutrition Science and Policy is from September first through August thirty first. The academic year for the School of Medicine, the Fletcher School of Law and Diplomacy, and the Cummings School of Veterinary Medicine is from July first through June thirtieth.

VI. Emeritus Status

A faculty member who has retired may be considered for emeritus status upon recommendation of the respective dean, concurrence by the provost and president, and with approval by the Board of Trustees.