

Political Science and Post-Tenure Review

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Accountability, assessment, and productivity funding are realities confronting growing numbers of tenured faculty throughout the country. Tenured faculty are no longer immune from the calls for “reengineering” so common in the business world. Adverse consequences, including termination, for tenured faculty members no longer judged productive by their institutions are a real possibility at an increasing number of American colleges and universities. In fact, in 1997, in response to increasing legislative and societal dissatisfaction with the practice of tenure at American universities, this journal published a symposium titled “Tenure Trouble.” The contributors effectively examined why tenure is under attack, defended the importance of tenure to the academy, and detailed the consequences of its loss. Yet, they also recognized that the tenure system would need to be reformed if tenure was to survive into the future.

Though there are other alternatives (Whicker 1997, 25), the growing literature on tenure reform in the United States suggests that it will be primarily accomplished through some form of a post-tenure review, which promises to protect tenure while insuring that it does not “guarantee lifetime employment to chronically poorly performing faculty” (American Association of State Colleges and Universities [AASCU] 1999, 41). Licata (1998) indicated some form of post-tenure review is being initiated in more than 30 states and Licata and Morreale’s survey of 680 public and private in-

stitutions determined that 70% of the 280 responding schools had instituted or were in the process of instituting some form of a post-tenure review policy (1997, 2). Post-tenure review *qua* “tenure reform” may be popular because it is seen as the fix least threatening to the traditional concept of tenure. After all, the American Association of University Professors (AAUP), whose *Policy Documents and Reports* defines and describes the rules of tenure, asserts that tenure should not protect the incompetent faculty member from termination (1995, 23, 26).

If the allure of post-tenure review stems from its consistency with the traditional idea of tenure, it is equally true that when it comes to post-tenure review the “devil is in the details.” After all, post-tenure review has been championed by legislators concerned with “tenured radicals” attacking conservative values (Lenz 1997, 11); an aging, increasingly incompetent faculty generated by the 1994 uncapping of the retirement age for post-secondary faculty by the Age Discrimination in Employment Act (Goodman 1994, 83); “deadwood” faculty who are ineffectual and no longer productive (Aitkens 1996, 39); the increasing costs of higher education (Zumeta 1998, 7); tenured faculty members’ apparent immunity from the vocational ferment so common outside of academe’s ivory towers (AASCU 1999, 12); and administrators’ inability to rationalize their workforce relative to changes in institutional mission and public demand (Johnson and Kelley 1998, 753–54; Richardson and Rickman 1998, 25). Of course, raising such concerns begs questions regarding who decides what is ineffectiveness, lack of productivity, faculty incompetence, or public demand, none of which have been answered to the satisfaction of all concerned parties. In this environment, it is understandable that many faculty wonder whether post-

tenure review really will be reform or will in actuality constitute an effective abolition of tenure.

National Practice and Trends

While the meaning of tenure is generally understood to those in the academy, post-tenure review remains idiosyncratic to each state and/or institution. No nationally accepted template or set of best practices is yet available. Legislatures and state higher education boards have generally specified the requirement but not the methods for post-tenure reviews. Consequently, procedures for post-tenure reviews have been set through negotiations between officials of state boards and individual universities or, in some instances, through discussions between administrators and faculty at individual institutions. Licata and Morreale (1997, 10–16) provide a five-fold characterization of institutional practice.

Annual Reviews. Several institutions have chosen to “put old wine in new bottles” by redesigning their annual merit review process to make it a post-tenure review. Such an approach raises the question of whether annual reviews sufficiently reflect longer-term career accomplishments. The Licata and Morreale study indicates that even though annual reviews meet legislative requirements, they do not always satisfy lawmakers and administrators. The University of Wisconsin, Madison, Illinois State University, and Indiana University have opted for more comprehensive reviews, after first conducting annual reviews. In an interesting compromise, the University of Arizona has agreed to annual reviews encompassing performance over the previous 36 months (AASCU 1999, 40).

Summative (Periodic/Consequential). A summative review provides an accurate account of a faculty

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member's performance for a prescribed period (usually five years). The University of Oregon and the state schools in Georgia and Florida took this approach. While Arden's 1995 survey of 44 public and 19 private institutions indicates that 72% of the schools regularly reviewed tenured faculty (with 92% of the reviewing schools reporting that such evaluations are mandatory), linking tenure rights to periodic review is controversial. For example, Finkin has argued that periodic summative reviews used to justify dismissal for cause effectively "substitute periodic evaluation for a dismissal hearing and would be indistinguishable from the abolition of tenure and the adoption in its stead of a system of periodic appointments" (cited in Licata and Morreale 1997, 4).

Summative (Triggered/Consequential). At schools using this approach, post-tenure reviews are initiated "for cause." Only faculty whose performance has been deemed unsatisfactory in other reviews will face post-tenure review. Variations of this approach are used at the University of Kentucky, Old Dominion University, and the University of Montana. Under this system, satisfactory performers do not have to spend valuable time reassembling their tenure files every certain number of years.

Formative (Departmental). Formative reviews carry no immediate threat of personnel action. Proceeding from a counseling orientation, these reviews are conducted in order to help faculty members identify their strengths and weaknesses. An express professional development plan for individual faculty focuses on the needs of the department and what must be done to insure that the faculty member can contribute to meeting the department's needs. At Rutgers University and Ithaca College, sanctions can be levied against faculty who are unwilling or unable to contribute to departmental or college advancement.

Formative (Individual). This approach emphasizes faculty development and does not call into question an individual's competence. Indeed, materials collected during this process cannot be used in dismissal for cause proceedings. This option is redemptive in char-

acter and relies upon extensive peer review and institutional support to insure that inadequate performance is rectified in a collegial fashion.

Regardless of which model an institution follows when designing and implementing a post-tenure review system, the administration and faculty need to articulate mutually acceptable answers to five important questions:

1. What are the purposes of post-tenure review?
2. Is post-tenure review automatic or for cause?
3. What constitutes "adequate performance" and how will performance be measured?
4. Who establishes the standards for whom, what are they, and who judges performance?
5. What are the consequences of post-tenure review?

A Role for the American Political Science Association?

Political scientists are well trained to deal with the conceptual and measurement issues bound up in the questions concerning post-tenure review and the American Political Science Association could serve its members and the entire academy well by acting as a clearinghouse for information and expertise on post-tenure review.

At the simplest level, the Association can allow the AAUP to carry the ball, given APSA's 1947 endorsement of the latter group's 1940 "Statement of Principles on Academic Freedom and Tenure." The Association could go further by actively supporting AAUP's 1983 statement on "Periodic Evaluation of Tenured Faculty" (1995, 49) and its evolving response to post-tenure

review (1998, 61–67). Finally, APSA may wish to become a principled participant by adopting its own policy or guidelines on post-tenure review.

A grant of tenure guarantees a faculty member a claim to his or her job as personal property that can not be seized without due process (*Board of Regents of State Colleges v. Roth*, 408 U.S. 564 [1972]; *Perry v. Sindermann*, 408 U.S. 593 [1972]). It can only be revoked when a faculty member's institution can provide compelling evidence of incompetence, malfeasance, or the like (Finkin 1996, 2). It is fair to ask, as many have, whether the requirements of post-tenure reviews shift to faculty the burden of proving they deserve to keep their jobs, thereby obviating what van Alstyne (1971) described as the "refutable assumption of excellence" created by the original award of tenure.

As the organization that protects and advocates for the interests of political science faculty, APSA must concern itself with ensuring that its constituents' rights regarding post-tenure review are guaranteed. At a

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minimum, APSA must do what it can to support the inclusion of faculty on the committees that set policy for or implement post-tenure review systems. While APSA should not suggest or demand that individual institutions make particular choices, it should work to make sure that all review requirements and consequences are clearly understood by and communicated

to those involved, fair to all, and accurate. In negotiations with administrators, individual campus faculties should define the meaning of tenure relative to their institution's mission. Process as justice is familiar to political scientists (as are the criticisms of this approach to protecting individuals' rights) and is a practical method of ensuring fairness in post-tenure reviews, given the obvious

TABLE 1
Mean Number of Works by Full-Time Instructional Faculty in Four-Year Institutions During Their Careers by Type of Work, Fall 1992

Institutions	Tenure Status	Refereed Articles/ Creative Works	Books	All Publications	Sum of Professional Works
Research	Tenured	40	2.00	76	134
	Tenure-track	13	1.00	25	50
	Nontenure Track	13	1.00	28	50
Doctoral	Tenured	25	2.00	53	106
	Tenure-Track	9	.40	21	47
	Nontenure Track	9	.60	17	34
Comprehensive	Tenured	1	.30	4	8
	Tenure-Track	1	.20	4	10
	Nontenure Track	.50	.10	2	6
Private/Liberal Arts	Tenured	1	.20	4	8
	Tenure-Track	1	.20	3	7
	Nontenure Track	1	.20	3	7
All	Tenured	3	.30	7	12
	Tenure-Track	2	.20	6	11
	Nontenure Track	1	.15	4	11

Source: "Fall Staff in Postsecondary Institutions, 1993, National Center for Education Statistics" (AAUP 1997, II-16).

variations in career choices and institutional expectations of faculty at different institutions (see Table 1).

A Principled Approach to Post-Tenure Review

Pursuing the course above raises the possibility of effectively privatizing tenure's meaning by making it contingent upon thousands of institutions' post-tenure review policies. If there is something sufficiently substantive to tenure as to justify it beyond procedural protection, then it should be possible to elaborate principles, derived from established plans, that should be applied during any review process. Some suggestions for such guiding principles follow.

1. Post-tenure review must not be used to undermine tenure or academic freedom.
2. Tenure represents an institutional investment that should not be lightly discarded. Post-tenure review should be redemptive and directed at reengaging faculty who no longer participate in the intel-

lectual life of their disciplines. The University of Colorado, for example, established a fund to promote faculty development consequent to post-tenure reviews (Licata and Morreale 1997, 23).

3. Measures of faculty competence should include more than publication counts. AAUP's position paper on post-tenure review states this clearly. According to AAUP, dismissal for cause demands demonstration of unredeemed incompetence (1998, 64), not just a failure to produce a sufficient quantity and/or quality of product. As the management theorist W. Edwards Deming pointed out, "It is easy to count. Counts relieve management of the necessity to contrive a measure with meaning" (1986, 102).
4. The realities of institutional mission, level of institutional support, and faculty workload should be considered during any review of faculty performance. My examination of APSA's 1997-1998 *Survey of Political Science Departments* (1998, 1-8) indicated, for example, that the majority of political science departments offer only undergraduate degrees, have 4 or fewer

faculty (who teach 7-8 classes per academic year with 5 or more distinct preparations), and have 0-1 secretarial/clerical staff to support the department. Employing substantial and sustained research productivity as a measure of faculty competence would be inappropriate in such a milieu.

5. Disciplinary involvement and success should, at a minimum, carry as much weight as publishing activities. The growth of the corporate university and the potential reduction of faculty to employee status (Bilik and Blum 1989; Finkin 1996, 124; Finkin 1997; Johnson and Kelley 1998; Rollin 1989; Waugh 1998) stimulate fears that post-tenure review will become the device by which ambitious administrators can redirect faculty attention away from their disciplines and toward satisfying the external consumers of higher education's product.
6. To the extent possible, a post-tenure review process should not have a short time line. Frequent or cursory reviews will tend to trivialize research and intellectual engagement. AASCU noted that short-term reviews inhibit innovation in

classroom teaching and lead faculty to engage in short-term scholarship at the expense of long-term projects. For many, "ongoing scrutiny of performance may prove counterproductive to innovation" (1999, 41). The idea of the contemplative scholar, engaged with the

intricacies of her discipline can be at odds with outcome-oriented post-tenure review policies.

Using these principles to inform the design of procedures will generate unique post-tenure review policies reflective of institutional reali-

ties. The resulting diversity of approaches will protect tenure as long as due process, peer review, and a common understanding of tenure are the foundation for post-tenure review policies and procedures.

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