



# RUTGERS

THE STATE UNIVERSITY  
OF NEW JERSEY

Robert L. Barchi, President

March 4, 2014

Mr. Kenneth Swalagin  
University Senate  
Rutgers, The State University of New Jersey  
ASB III, Suite 110  
Cook/Douglass Campus

Dear Mr. Swalagin:

I write in response to the Senate Report and Recommendations on Charge S-0917 on Application of the "Ten Year Rule" in Promotions to Full Professor, as proposed by the Faculty and Personnel Affairs Committee (FPAC) and adopted by the University Senate at their April 2011 meeting.

First, I wish to correct a couple of the conclusions reached by the FPAC on the basis of their anonymous survey of administrators. The Promotion Review Committee considers cases under the Ten Year Rule every academic year. Between 2011 and 2013, for example, a total of 32 faculty members were eligible to be evaluated for promotion under the Ten Year Rule. Of these, 10 faculty members (31%) opted for consideration under the Ten Year Rule, while 22 faculty members (69%) did not. All 32 of these faculty members were approved for promotion. Thus, our recent experience indicates that it is not correct to characterize the Ten Year Rule as "rarely used"; nor is it accurate to claim that faculty considered for promotion under the Ten Year Rule are "much less probable" to be successful than those not considered under the Ten Year Rule.

With respect to your recommendations to amend the language in the Policy Library as it relates to promotion to professor and to make explicit reference to the Ten Year Rule in the Promotion Instructions, I have conferred with Executive Vice President Richard Edwards, who chairs the Promotion Review Committee (PRC). Dr. Edwards' description of the careful review that the PRC undertakes suggests that the current language provides the flexibility needed to preserve the PRC's academic judgment, and allows the PRC to evaluate each case on its own merits, focusing on how the candidate's specific contributions relate to the criteria rather than how the candidate compares with others of similar rank. I further note that in addition to the description of the Ten Year Rule in 60.5.17 of the Policy Library and Appendix D of the Promotion Instructions, the Ten Year Rule is also referenced in Form 2 of the promotion materials, which *all* candidates for promotion and their department chairs must sign. This is the form by which those in rank for more than ten years since the granting of tenure express whether or not they wish to be considered under the Ten Year Rule. This form provides further clarification regarding the criteria: "The altered balance among the criteria has been interpreted to mean that the longer in rank after ten years, the more significance is accorded to teaching and service." Information about the Ten Year Rule is further

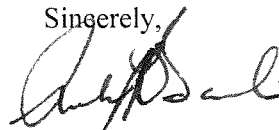
communicated to deans, chairs, and other administrators in every information and training session on the promotion process offered by the Office of Academic Labor Relations, and in the promotion and tenure workshops offered to candidates by the AAUP.

With respect to the other recommendations in the Senate Report, we cannot support your recommendation to substitute additional internal letters of reference for external ones in promotion cases considered under the Ten Year Rule. The main purpose of the external evaluations in all promotion cases is to assist us in evaluating the candidate's scholarly achievements and professional standing in the discipline. The solicitation letter invites external referees to comment on the candidate's teaching or service if they are able, but it is well understood that external referees will often not have sufficient information to assess the candidate's contributions in these areas. It is the role of the dean and department to provide the primary assessment of the candidate's teaching and service contributions, and the promotion procedures provide ample opportunity for such input to be submitted.

We likewise cannot support your recommendation to have a different letter of solicitation for the external referees of candidates being considered under the Ten Year Rule, at least not without considerable additional discussion and consultation. Should you choose to pursue this recommendation, please be aware that if an alternate letter is adopted for Ten Year Rule cases it will need to be applied across the board to *all* such cases; candidates will not have the option of choosing whether to use the original letter or a modified one. Some faculty members do not want it to be known that they are being considered for promotion under the Ten Year Rule, and would especially not want that information to be shared with colleagues outside the university. If, on the other hand, a candidate believes it would be advantageous to let external referees know that they are being considered under the Ten Year Rule, they are free to include this information in their personal statement, which is shared with the reviewers. Dr. Edwards is concerned that this proposed change to the solicitation letter, requiring disclosure that the candidate is being considered for promotion under the Ten Year Rule, would have the unintended effect of discouraging many candidates from choosing to be reviewed under the Ten Year Rule.

I appreciate the time and attention that the FPAC devotes to the promotion process, and trust that this response has provided some additional clarification on the Ten Year Rule and its application by the PRC.

Sincerely,



Robert Barchi

c: Richard L. Edwards, Executive Vice President for Academic Affairs