The perceptions of tenure and alternatives to tenure among faculty at a mid-sized regional university in a large northeastern state

Patricia McGrath

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THE PERCEPTIONS OF TENURE AND ALTERNATIVES TO TENURE AMONG
FACULTY AT A MID-SIZED REGIONAL UNIVERSITY IN A
LARGE NORTHEASTERN STATE

by
Patricia McGrath

A Thesis
Submitted in partial fulfillment of the requirements of the
Master of Arts Degree
of
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at
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Approved by
Dr. Thomas Monahan

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ABSTRACT

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THE PERCEPTIONS OF TENURE AND ALTERNATIVES TO TENURE AMONG
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2001/02
Dr. Thomas Monahan
Master of Arts in Higher Education Administration

This study sought to gauge the perceptions of both tenured faculty and tenure-track faculty regarding academic freedom and tenure. With this information, professors will be able to engage in discussions about tenure and its future. In this study, professors across all colleges and professorial ranks were asked to rate the degree to which they either agreed or disagreed with statements pertaining to academic freedom, tenure, and possible alternatives to tenure. In addition to this, there was a space given for comments or concerns.

The overall format of this study was an anonymous survey questionnaire. Most importantly, the survey attempted to determine if professors agreed on many topics surrounding tenure. Many of the professors agreed that the purpose of tenure is to protect academic freedom; however, the tenure system as it exists today is flawed.

In general, professors were supportive of tenure and its purpose. Many viewed tenure as a necessary part of education; it is a trade-off for people to forgo working in industry, which tends to be more lucrative. The tenure system is far from perfect and ongoing discussion can only benefit both the professor and institution.
MINI-ABSTRACT

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The concept of tenure tends to be misunderstood by both the public at large as well as those within academe. Therefore, the purpose of this study was to learn if both tenured faculty and tenure-track faculty agree on statements regarding academic freedom, tenure, and alternatives to tenure.

To succeed in this endeavor, professors were anonymously surveyed, and they indicated several areas of overwhelming agreement regarding accountability and job security.
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Introduction to Tenure and Academic Freedom

The issue of tenure is one of the most intensely debated topics in higher education. It has evoked responses both from within academic circles as well as from the public at large. Professors strive to achieve it, while the legislators continue to debate its worth. But what exactly is tenure? The American Association of University Professors 1940 “Statement of Principles” defines tenure as:

A means to certain ends—specifically, (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. Freedom and economic security—hence, tenure—are indispensable to the success of an institution in fulfilling its obligations to its students and to society. (AAUP, 2001, p.6)

Tenure is rooted in academic freedom and for good reason. Scholars have either been dismissed or reprimanded for professing their beliefs and for their teachings and/or writings that were often unpopular or at odds with the university administration. The following examples all took place at a time when being pro-labor in the face of economic uncertainty was quite perilous. In 1894, Richard T. Ely, a professor of economics at the University of Wisconsin, voiced his approval of strikes and boycotts, and for this “heresy,” a committee of the board of regents dismissed him from his position. Another
economics professor, Edward W. Bemis, from the University of Chicago, made a public attack on the railroads during the Pullman strike and was dismissed (Rudolph, 1968, p. 414). Edward A. Ross, professor of sociology at Stanford University, met a similar fate: Ross spoke freely in opposition to the railroads for using cheap, unskilled Oriental labor in the construction phase. For doing so, he was dismissed (Poch, 1993, p. 8). Finally, Scott Nearing, from the University of Pennsylvania, was dismissed as well. Nearing taught at the Wharton School of Finance and Commerce, and without being given a reason, the board of trustees terminated his appointment (Brubacher & Rudy, 1997, p. 313). In the face of these incidents, it is clear that tenure was established with a purpose in mind: to protect academic freedom, but is academic freedom in the twenty-first century in jeopardy?

Tenure is important because it is grounded in academic freedom. Academic freedom has no specific legal support, but it is protected in a number of ways: (a) through the First Amendment of the Constitution, (b) through contractual protections including collective bargaining agreements and shared governance, and (c) through tenure laws (Pincoffs, 1975). Tenure provides that faculty members “during good behavior, efficiency and satisfactory professional performance, as evidenced by formal evaluation, shall not be dismissed or reduced in compensation except for incapacity, inefficiency, unbecoming conduct, or other just cause.” (N.J.S.A. 18A: 60-8) Academic freedom was instituted to enable professors to research issues, both academic and non-academic, and to teach them no matter how controversial or unpopular they might be, without fear of reprisal (Ayers, 1996, p.3).
Today, there are several institutions of higher education that are forgoing tenure, or they are not offering as many tenured positions as in previous years. In fact, alternatives to tenure are being discussed for a number of reasons, including (a) legislators wanting to know why guaranteed lifetime employment and security are not questioned, and (b) trustees wanting to curb their budgets (Tierney, 1997, p. 18). As a result, “colleges and universities in America are hiring more and more full-time, non-tenure track professors and paying them less than senior faculty to work longer hours — with no job security, sabbaticals or other perks” (Marcus, 1998, p. 1).

Statement of the Problem

Because of the recent attacks on tenure as well as because of misperceptions about both academic freedom and tenure, it would be helpful to conduct further research in this area. The institution of tenure was enacted for a specific purpose: to ensure job security for professors researching and teaching issues that could be deemed unpopular or controversial. Today, that probably is no longer a concern of paramount importance due to constitutional safeguards. The First Amendment to the Constitution protects freedom of speech, and state courts protect against wrongful dismissal. William G. Tierney (1998) cited five issues that are linked to tenure and should be investigated: fiscal crises, deadwood, experimentation lessened, untenured not protected, and academic freedom (pp. 43-47). These issues, which are explored briefly below, are expanded and further clarified in a later section of this report.

The first issue, fiscal crises, deals with the economic constraints that tenure may place on an institution. The Commission on Academic Tenure in 1973 claimed tenure
"imposes an inflexible burden upon institutions" (as cited in Tierney, 1998, p. 43). Every time an institution grants tenure to a professor, the institution becomes financially bound to the professor and his/her department. For the most part, this is a sound investment; however, in the face of financial difficulties, this commitment limits how funds may be allocated or subsequently reallocated. Colleges have very little flexibility in their most expensive part of the budget (personnel) because tenure will not allow the institution to furlough faculty. Financial crises should not be confused with financial exigency. When an institution declares financial exigency, it is virtually declaring bankruptcy. Those who support tenure claim that when an institution undergoes fiscal crises, “it clarifies relationships and responsibilities” (Tierney, 1998, p. 45). For instance, there is protocol that needs to be followed if an institution faces a financial crisis. Administrators must be aware that the institution must dismiss non-tenured faculty before tenured faculty.

The second issue, "deadwood," refers to professors who no longer contribute in a meaningful way either in teaching, academic research, or service. Teachers who have been in the profession for years may become entrenched in routines from year to year. If those teachers are not challenged to stay current in their fields of study, they are seen as unproductive and therefore labeled "deadwood." Detractors believe it is because they have guaranteed job security. However, supporters of tenure argue, “no evidence exists that shows that a college or university has more unproductive personnel than a business company” (Tierney, 1998, p. 45). Therefore, those who oppose tenure on the basis of "deadwood" should realize that "unproductive personnel" are represented in all facets of employment, not just the professoriate.
The third issue, experimentation being lessened, concerns reducing the risks associated with cutting edge research in order to get published and consequently earn tenure. For example, those who argue against the institution of tenure contend that probationary professors, in their quest for attaining tenure, tend to shy away from risky or cutting edge research out of fear that their work may not result in publishable products. Such lack of scholarly productivity may therefore adversely affect their chances for attaining tenure. Conversely, Tierney (1998) argues that professors with tenure are afforded the luxury of time to make breakthroughs in research (p. 46).

Untenured and not protected is the fourth issue, and it refers to faculty members who are not tenured and therefore not afforded the protection of academic freedom that their tenured colleagues enjoy. Defenders of tenure respond that “the tenured faculty, by their very presence, assure untenured instructors adequate protection.” (Chait & Ford, 1977, p.7) This assurance is not adequate for critics of tenure because “there is no assurance of protection, that efforts to protect usually follow the violation instead of prevent it, and that no protection exists against infringements of academic freedom perpetrated by tenured faculty.” (Chait & Ford, 1977, p.7) In addition to this, tenure-track faculty often feel pressure to acquiesce to tenured faculty if they hope to one day attain tenure.

Lastly, the phrase academic freedom is the fifth issue; it is used to support tenure, but according to Tierney (1998), “the vast majority of faculty never write or say anything that tests the limits that academic freedom is expected to protect” (p. 44). Supporters argue with an apt analogy: “Simply because most U.S. citizens do not test the limits of free speech does not mean that we should abolish the First Amendment” (Tierney, p. 47).
All of these issues clearly relate to why alternatives to tenure should be examined. The first alternative to the tenure system is the use of long-term renewable contracts. For instance, contracts could be renewed every five years, but only after faculty members were reviewed for performance (Tierney, 1998, p. 48). This would allow the institution to easily dismiss faculty members who were unproductive or unsatisfactory during their probationary terms. In return, faculty members must maintain a certain level of quality in both teaching and research to be renewed.

Another alternative to tenure is giving faculty members salary definition. If tenure is equivalent to a person’s base salary, he/she could be guaranteed that base. However, the idea behind this alternative is that instead of guaranteeing the entire base, institutions may only guarantee a portion. If entire departments hire in this capacity, the entire department would need to work creatively to generate the additional income through external grants, contracts, and similar vehicles to fund the remaining portions of the base (Tierney, 1997, p. 20).

Yet another option for dealing with the issue of tenure is to strengthen the post-tenure review. Most institutions, including this regional university, already have post-tenure processes. This evaluation could serve to identify potentially unproductive faculty and help them in terms of their professional development (Tierney, 1998, p. 49).

Tenure, as an institution, is an issue that is not likely to go away, at least not quietly. Most professors desire tenure, but the truth is many will not achieve it. Since the public is generally unaware of what tenure actually means for both professor and institution, this study was designed to research the five issues that surround tenure, as identified by Tierney (1998), and to determine if any misconceptions exist among faculty.
at this regional university. If those misconceptions do in fact exist among faculty at this regional university, the alternatives to tenure should be examined because, according to a Harvard Graduate School of Education survey, “American academics are increasingly ready to forgo the security of tenure in exchange for competitive salaries and research freedom” (Marcus, 2000, p. 1).

This research was conducted in order to gain faculty perceptions of tenure. Since the concern for attaining tenure continues to be a priority among professors, a better understanding of tenure is needed. Tierney (1998) argues that at "no time throughout the twentieth century has tenure been more seriously under attack than at present, nor has academe ever been in such turmoil" (p. 38). Armed with this knowledge, institutions must clarify tenure both inside and outside academic circles. Hence, tenure must be examined for what it is presently: a confidence in a professor's ability for future teaching and research endeavors. Moreover, it must be examined to see if alternatives to tenure are conceivable for the future of higher education institutions.

Conclusion

The concept of tenure has both positive and negative aspects. If alternatives to tenure are not explored, boards of trustees may be inclined to offer non-tenured positions without hope for tenure. The results of this project may make faculty aware of the misconceptions that surround tenure and/or support alternatives to tenure if tenure is abolished or not offered as frequently.
In order to understand the concept of tenure and its importance in higher education, I have reviewed the scholarly literature and have organized the following analysis around several related themes. First, I briefly discuss pre-tenure America and follow it by discussing the concept of academic freedom, which is important because tenure is inextricably rooted in academic freedom. This is followed by a discussion of the historical underpinnings of tenure which culminated in the Statement of Principles by the American Association of University Professors (AAUP) in 1915 and again in 1940. Subsequently, I discuss the five issues that surround tenure and explore the commonly held advantages and disadvantages. Finally, I explore issues surrounding attacks on tenure, from the time of Senator Joseph McCarthy to the present day, and discuss possible alternatives.

America, Pre-Tenure

The ideals of higher education in America came with the British when they settled in North America. Academic freedom made its way into the fabric of higher education as early as the seventeenth century. In fact, “at Harvard, William and Mary, and Yale, faculty began entering into contractual agreements with the college boards, thereby introducing faculty employment based on a specific length of time rather than on
collegial consensus and creating the foundation for permanent employment” (Loope, 1995, p.3).

In the late nineteenth century and into the early twentieth century, it became increasingly clear to the professoriate that unwarranted faculty dismissals posed a problem. The thought of having academic freedom but not the security of employment could interfere with the “integrity of their teaching and research” (Bok, as cited in Loope, 1995, p. 3).

The Association of American University Professors (AAUP) looked at a number of faculty dismissal cases before putting forth its first Declaration of Principles in 1915. The Association examined a number of cases and found that:

These cases were not only numerous, but also diverse in character, ranging from dismissals of individual professors to dismissal or resignation of groups of professors, and including also the dismissal of a university president, and the complaint of another university president against his board of trustees.

(AAUP, 2001, p.291)

The Concept of Academic Freedom

Academic freedom is a deeply valued tenet in the academic world. Often used as a defense in academic circles, academic freedom dates back to nineteenth century Germany with the concepts of lehrfreiheit (freedom of teaching) and lernfreiheit (freedom of learning) (Baez & Centra, 1995). It was in Germany where the free exchange of ideas and the pursuit of truth between professor and student became dominant (Fuchs, as cited in DeGeorge, 1997). Although it may be difficult to pinpoint

The concept of academic freedom eludes precise definition. It is a concept that draws from both the world of education and the world of law. Courts have increasingly used academic freedom as the catchall term to describe the legal rights and responsibilities of the teaching profession. This judicial conception of academic freedom is essentially an attempt to reconcile basic constitutional principles with the prevailing views of academic freedom's social and intellectual role in American life. (Poch, 1993, xv.)

What then comprises academic freedom? There are three basic components: "1) the freedom to conduct and publish research, 2) the freedom to teach and discuss appropriate subject matters without introducing irrelevant issues, and 3) the freedom to speak or write as a citizen without speaking on behalf of the institution" (Chait & Ford, 1982, p. 55). Keeping these freedoms in mind, educators also have responsibilities that need to be addressed. According to the AAUP, academic freedom is "fundamental for the protection of the rights of the teacher in teaching and of the student in learning, and carries with it correlative duties" (Joughin, 1967, p.231). What are those rights? Teachers have the right to teach and publish and to search for truth— even when the issues are provocative, controversial, or unpopular— without fear of recrimination. Students have the right to search for the truths and, under the guidance of their teachers, to explore any and all issues. Finally, the public has an obligation to protect the rights of teachers to teach and to publish and the rights of students to learn from those teachers.
In America, "academic freedom allows educators to conduct themselves in ways which those outside of academia are restricted by law" (Ayers, 1996, p. 3). Since academic freedom is not a constitutional right, the U.S. Supreme Court realized the issue must be addressed and it did so in 1923 in the court case Meyer v. Nebraska, 262 U.S. 390 (1923). According to the U.S. Supreme Court document, Meyer was tried and convicted on May 25, 1920, for unlawfully teaching reading to a child in the German language.

The state of Nebraska previously had a law, known as the Siman language law, (approved April 9, 1919) that prohibited foreign language instruction in public schools:

Section 1. No person, individually or as a teacher, shall, in any private, denominational, parochial or public school, teach any subject to any person in any language than the English language.

Sec. 2. Languages, other than the English language, may be taught as languages only after a pupil shall have attained and successfully passed the eighth grade as evidenced by a certificate of graduation issued by the county superintendent of the county in which the child resides.

Sec. 3. Any person who violates any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction, shall be subject to a fine of not less than twenty-five dollars ($25), nor more than one hundred dollars ($100), or be confined in the county jail for any period not exceeding thirty days for each offense.

Sec. 4. Whereas, an emergency exists, this act shall be in force from and after its passage and approval. (Meyer v. Nebraska, 262 U.S. 390 (1923)
The State Supreme Court affirmed that Meyer was guilty of violating the provisions of the act; however, when this case went in front of the United States Supreme Court, the court reversed the decision, stating:

Education of the young is only possible in schools conducted by especially qualified persons who devote themselves thereto. The calling always has been regarded as useful and honorable, essential, indeed, to the public welfare. Mere knowledge of the German language cannot reasonably be regarded as harmful. Heretofore it has been commonly looked upon as helpful and desirable. Plaintiff in error taught this language in school as part of his occupation. His right thus to teach and the right of parents to engage him so to instruct their children, we think, are within the liberty of the amendment.

*Meyer v. Nebraska*, 262 U.S. 390 (1923)

Therefore, instruction, regardless of the language used for that instruction, constitutes teaching and addresses the second condition of academic freedom: the freedom to teach and discuss appropriate subject matters (Chait & Ford, 1982).

Another case that the U.S. Supreme Court addressed regarding academic freedom was *Sweezy v. New Hampshire*, 354 U.S. 234 (1957). In the late 1950s, America was in a technology race with the Soviet Union, and any ideals (e.g., communism) associated with that country were viewed as anti-American. In New Hampshire, state law read: “a joint resolution of the state legislature was construed to constitute the Attorney General as a one-man legislative committee” (Olivas, 1997, p.135). One particular task that was assigned to the Attorney General was to investigate and then prosecute those individuals
who espoused such subversive beliefs (Brubacher, 1997, p. 327). This particular investigation was linked to a 1951 New Hampshire statute, which was a comprehensive scheme of regulation of subversive activities. There was a section defining criminal conduct in the nature of the sedition. “Subversive organizations” were declared unlawful and ordered dissolved. “Subversive persons” were made ineligible for employment by the state government. Included in the disability were those employed as teachers or in other capacities by any public educational institution. A loyalty program was instituted to eliminate “subversive persons” among government personnel. All present employees, as well as candidates for elective office in the future, were required to make sworn statements that they were not “subversive persons.” (Olivas, 1997, p.135)

Sweezy appeared before the Attorney General twice, and “on January 5, 1954, petitioner testified at length upon his past conduct and associations” (Olivas, 1997, p.135). Although Sweezy vehemently denied affiliation with the Communist party, the fact that he refused to answer such questions as “Did you tell the class socialism was inevitable?” “Did you advocate Marxism?” And “Did you espouse dialectical materialism?” made the Attorney General suspicious (Brubacher, 1997, p. 327). The Attorney General also asked Sweezy about a lecture that he delivered in 1954 to 100 students enrolled in the humanities course (Olivas, 1997, p. 135). “This talk was given at the invitation of the faculty teaching that course. Petitioner had addressed the class upon such invitations in the two preceding years as well” (Olivas, pp. 135-136). Sweezy chose not to answer the questions concerning his lecture on the grounds that the questions
"were not pertinent to the matter under inquiry and that they infringed upon an area protected under the First Amendment" (Olivas, p. 136). The defendant was accused and found guilty of violating by the law from 1919 (Siman language law) and fined $25.00. (Meyer v. State of Nebraska, 107 Neb. 657; 187 N.W. 100; 1992 Neb. LEXIS 361).

Meyer then appealed to the State Supreme Court, which affirmed the decision, and then to the United States Supreme Court which reversed the decision in 1957 (Olivas, p. 138). The Supreme Court ruled on a "denial of due process" because the questions that were asked of this visiting professor were not relevant or within the "scope of the inquiry" (Fuchs, as cited in DeGeorge, 1997, p. 145).

The Supreme Court "recognized that governmental intrusion into the academic life of a college or university, absent an unusually compelling need, would result in an environment of fear and suspicion necessarily leading to the suppression of intellectual inquiry and freedom of expression" (Poch, 1993, p. 18). Ultimately, professors have the right to teach their classes without being questioned about their political party and/or affiliates or the content of their lectures. Following this case, Chief Justice Warren remarked on the necessity for academic freedom: "No one should underestimate the vital role in a democracy that is played by those who guide our youth. To impose any straight jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation" (Fuchs, p. 146).

Chief Justice Warren was not alone in his view of academic freedom; Justice Frankfurter also stressed the importance of academic freedom while connecting it to the First Amendment of the Constitution (Poch, 1993, p. 18). Justice Frankfurter believed it was crucial to protect academic freedom from excessive governmental intrusion; he held
that "the First Amendment protected Sweezy in his refusal to disclose the content of his
lecture at the University of New Hampshire" (Poch, p. 18).

The State Supreme Court conceded without extended discussion that
petitioner’s right to lecture and his right to associate with others
were constitutionally protected freedoms which had been abridged through
this investigation. Merely to summon a witness and compel him, against his
will, to disclose the nature of his past expressions and associations is a
measure of governmental interference. (Olivas, 1997, p. 138)

As a result of Frankfurter’s analysis, academic freedom and the First Amendment became
inextricably linked.

Similar to Sweezy v. New Hampshire, the Supreme Court heard another case,
Keyishian v. Board of Regents, 365 U.S. 589 (1967), which involved outside interference
with classroom activities. This court case took place in the state of New York where
there was a law that required state university faculty members to sign a document that
denounced communism. In addition to signing the document, faculty members would
also have to "inform the university president if they had been members of the Communist
party at some previous juncture" (Poch, p. 19). This was an intrusion into the privacy of
teachers’ lives outside of the classroom. Keyishian refused to sign the document, and as
a result, his yearly contract was not renewed (Poch, p. 19). The interests of the state were
weighed against Keyishian’s First Amendment rights (freedom of speech), and the
majority of the court ruled in favor of Keyishian with respect to academic freedom:

Our Nation is deeply committed to safeguarding academic freedom, which is
of transcendent value to all of us and not merely to the teachers concerned.
That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom. The classroom is peculiarly the marketplace of ideas. (Leed, 1997, p. 3)

Individuals are not the only entities given academic freedom rights; institutions exercise academic freedom rights too. For instance, the U.S. Supreme Court heard *Regents of the University of Michigan v. Ewing*, 747 U.S. 214, (1985). Ewing was a student who was dismissed from a university program after he had failed an exam. He wanted to retake the exam, but his request was refused. The Supreme Court agreed with the decision made by the University. The Supreme Court also came to the realization that with regard to institutional academic freedom and academic decisions, the Supreme Court "should show great respect for professional judgment" (Baez & Centra, 1995, p. 60). The professional judgment of institutions may not always be congruent with the courts, but the courts will consider those decisions prior to rendering their own decisions. As far as the professional judgment of professors was concerned, who or what body would serve as an official voice for a majority of university professors?

**The Inception and Role of the American Association of University Professors**

In 1915, the American Association of University Professors came into being (Joughin, 1967). Its establishment, according to Rudolph (1968), "symbolized the arrival of academic man in America" (p. 415). Comprised of influential scholars and under the guidance of professors John Dewey and A.O. Lovejoy, this group set out to form a "more comprehensive professional organization than that afforded by the individual subject-matter organizations of long standing" (Brubacher & Rudy, 1997, p. 319). Several
subject-matter organizations that existed at the time were the American Economic Association, the American Sociological Society, and the American Political Science Association (Brubacher & Rudy, 1997). The purpose of the American Association of University Professors was:

To facilitate a more effective cooperation among teachers and research scholars in universities and colleges, and in professional schools of similar grade, for the promotion of the interests of higher education and research, and in general to increase the usefulness and advance the standards, ideals, and welfare of the profession. (Joughin, 1967, p. 73)

It sought to codify regulations as well as to protect standards regarding tenure for those in education (Loope, 1995). Its first order of business was "established primarily to formulate principles and procedures, the observance of which would insure intellectual freedom in colleges and universities" (Loope, 1995, pp. 155-156). Academic freedom now shared a priority with job security.

The AAUP also worked with other organizations that were dedicated to promoting academic freedom and tenure. One such institution was the Association of American Colleges (Joughin, 1967). The two organizations, in conjunction, put forth the 1940 Statement of Principles on Academic Freedom and Tenure.

Over the years, 1940 Statement of Principles has been incorporated expressly or by reference into many faculty handbooks, endorsed by more than 100 courts; it is the general norm of academic practice in American higher education. (Van Alstyne as cited in Baez & Centra, 1995, p. 7)
Brubacher and Rudy (1997) have determined that the AAUP has been successful on several fronts. This association has impacted the principles set forth by a number of other organizations, such as the Association of American Colleges, the Association of American Universities, the National Education Association, the American Civil Liberties Union, and the American Federation of Teachers. Its success can also be measured in membership numbers; from the beginning of the AAUP in 1915 to 1965, membership went from less than 900 members to more than 60,000 members (Brubacher & Rudy, 1997, p. 322). Although the AAUP is well-known, it

Is neither universally recognized nor always considered a disinterested neutral in proceedings that affect individual faculty members’ employment status....It has no official or legal standing to intervene in academic freedom cases—and it is usually unwelcomed by the institution as an intervener when it does so. (Leslie, 1998, p.12)

Although the AAUP was and continues to be influential, tenure would clarify responsibilities and instill confidence in the work being performed by professors.

The Call for Tenure and its Standard Requirements

Tenure, the hallmark of academic achievement, is perhaps one of the most misunderstood terms both inside and outside of academe. According to the chairman of the AAUP’s Committee A on Academic Freedom and Tenure, “Tenure, accurately and unequivocally defined, lays no claim whatsoever to a guarantee of lifetime employment” (Alstyne, as cited in Finkin, 1996, p. 4). Rather, tenure is “an arrangement under which faculty appointments in an institution of higher education are continued until retirement
for age or physical disability, subject to dismissal for adequate cause or unavoidable termination on account of financial exigency or change of institutional program” (AAUP/AAC Commission on Academic Tenure, as cited in Chait & Ford, 1982, p. 3).

If tenured faculty members can be dismissed for a number of reasons, what are the criteria for those dismissals? First and foremost, “tenured faculty members are entitled to due process before their positions are eliminated” (Baez & Centra, 1995, p. 31). This means that a college or university cannot dismiss a tenured professor without presenting evidence for the dismissal. “Professional incompetence, acts of moral turpitude, serious violations of law, neglect of duty, insubordination, and dishonesty in teaching and research” all constitute adequate cause and justify dismissal (Chait & Ford, 1977, p. 4).

Tenure may also be revoked if an institution is in the midst of a bona fide financial crisis. The fiscal conditions must be so harsh that there is no alternative but to release the tenured faculty member. Yet, before a tenured faculty member is released, “the dismissal of untenured faculty must precede the release of tenured personnel” (Chait & Ford, p.5).

Lastly, a tenured faculty member can be dismissed if there are changes in the program. “Institutions should always reserve the right to eliminate faculty and programs because of financial exigency” (Baez & Centra, 1995, p. 30). However, declaring financial exigency is tantamount to a declaration of bankruptcy and should be the institution’s last resort.

Faculty members are awarded tenure because their senior colleagues are convinced they are an investment in the institution’s future. The decision to award tenure usually hinges on two factors: assessment of performance and assessment of the individual’s potential (Chait & Ford, 1977, p.2). Assessing an individual's performance is equated to successful past performance in three areas: teaching, scholarship, and
community service (Chait & Ford, p.3). This also varies with the type of institution that is granting tenure. There are institutions where research is the main focus, while teaching and community service are lower priorities. "As a rule, however, at four-year and graduate institutions teaching and research are emphasized" (Chait & Ford, p. 3).

Depending on the institution, there may also be minimal requirements for eligibility. For instance, the probationary period for granting tenure is, for the most part, three to seven years. Perhaps the probationary period is lengthy because the "process helps the university make the right decision in filling a specific, well-defined, long-term job" (Brand, 1999, p. 1). Secondly, the person seeking tenure must have established credentials; there is usually a requirement for having the highest degree attainable in one's department. Thirdly, some institutions will bind tenure to professorial rank. "It is commonplace, but by no means required, that the tenure decision be linked to a promotion in rank" (Chait & Ford, 1977, p.3). Lastly, the potential for growth is also evaluated. Peer evaluations, student evaluations, and how much research has been generated are just a few of the means used to assess the potential of a professor (Chait & Ford, 1977, p. 3).

Five Issues Surrounding Tenure (Advantages and Disadvantages)

According to Tierney (1998), "critics of tenure hold positions on at least five different matters" (43). The first issue that Tierney (1998) examines is the institution of tenure when fiscal crises arise. Tenure, especially in times of significant financial cutbacks from both the state and federal government, just does not conform to the changing needs of society. The Commission on Academic Tenure in Higher Education
(1973) reported, “Tenure imposes an inflexible financial burden upon institutions” (Tierney, p.43). Tierney (1997) contends “tenure rigidifies positions so that when an institution needs to be able to reorganize, it cannot” (p.19). The inflexibility of institutions may stem from a variety of reasons. Chait and Ford (1977) claim “tenure constrains institutional inflexibility because each time an institution confers tenure it makes a long term financial and programmatic commitment (p. 7). Society must “enhance an institution’s ability to discontinue select areas and individuals and reallocate positions and resources to accommodate change in student demand” (Chait as cited in Tierney, 1997, p. 19). This would, therefore, render institutions more flexible.

The second issue that Tierney (1998) examines is “deadwood” (p. 43). Deadwood refers to unproductive tenured faculty members, and it is often used to criticize tenure. In order to prevent deadwood from crippling institutions, the institution needs to create and sustain an environment that maintains the interests of professors and continually challenges them. “Without such care and courage, strict tenure rules would lead to an accumulation of substandard teachers on the permanent faculty” (Finkin, 1996, p. 11). The price to rid institutions of deadwood can be extremely expensive: “such litigation might end up costing the institution hundreds of thousands of dollars” (Tierney, 1998, p. 43).

The concern about too much “deadwood” seems to be misrepresented. Tierney (1998) contends: “the assumption that unproductive individuals are protected by tenure assumes that organizations without tenure do not have unproductive personnel” (p. 45). Consequently, how prevalent are unproductive faculties today? Rosovsky (as cited in Tierney, 1998, p. 45) has calculated: “that unproductive faculty are under two percent of
an institution’s faculty. The solution for deadwood lies in how to increase performance; it is not found in counting the number of unproductive professors.” (Tierney, 1998, p. 45)

The third issue that Tierney (1998) examines suggests that experimentation among faculty is being lessened (p. 43). “Without tenure, we can hardly expect higher education faculty to state their minds on controversial topics or to propose unpopular solutions to scientific or social problems facing the state, nation, and world” (Loope, 1995, p. 11). Tierney (1998) also alludes that professors, in order to publish in time for tenure consideration, sometimes use “quick and dirty” data (p. 43). The pressure to publish, regardless of how data are gathered, sometimes supersedes the purpose of the study. This pressure is what needs to be eliminated. Tenure has also enabled professors to make amazing discoveries because they were not under a time constraint (Tierney, 1998, p. 46). Miles Brand, President of Indiana University, sees tenure as a necessity for professors to experiment and keep their positions: “Tenure protects faculty members from the pressures of the bottom line” (Brand, 1999, p. 3).

The fourth issue that Tierney (1998) examines is the idea that those professors who are not tenured are not protected. Chait and Ford (1977) argue this is inaccurate: “If academic freedom is essential to the profession and tenure is essential to academic freedom, how can untenured faculty practice the profession?” (p. 7). Should certain professors have academic freedom while others do not? Chait and Ford (1977) also contend that: “defenders respond that the tenured faculty, by their very presence, assure untenured instructors adequate protection” (p. 7). There is of course a counter argument:

There is no assurance of protection, that efforts to protect usually follow the violation instead of prevent it, and that no protection exists against
infringements of academic freedom perpetrated by tenured faculty.

(Chait & Ford, 1977, p. 7)

The fifth and final issue that Tierney (1998) discusses involves academic freedom (p. 44). Academic freedom, in America, is indispensable because both scholars and students need to interact and challenge conventional thought. Tierney states that "Academic freedom also is a protection that very few individuals need; the vast majority of faculty never write or say anything that tests the limits that academic freedom is expected to protect" (p. 44). Although academic freedom is not always needed, it does not mean that academic freedom should be abolished because there are professors who teach subjects that challenge conventional thought. The public may not endorse the teachings of the professor, but under academic freedom, the professor has the right to teach that subject. For example, the Philadelphia Inquirer published What's the point of a university? in 1999. The story was about a tenured professor who taught bioethics at Princeton University. This professor, Dr. Peter Singer, argued "that parents of a severely disabled infant may, depending on circumstances, be ethically justified in choosing euthanasia for their child" (Philadelphia Inquirer editorial, Sept. 26, 1999). This received an enormous amount of bad publicity for Princeton University, but the president of the University, Harold Shapiro, stood by Dr. Singer. Why stand by a professor whose teachings appall so many? Shapiro stated there was a need to offer "a forum for the free and open consideration of ideas, even when some of these ideas make some--or even most--of us uncomfortable" (North, 1999).

Although tenure's main goal is to protect academic freedom, it also offers other benefits to institutions and its students:
Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.” (AAUP, 2001, p.3)

For the professor, “tenure protects against arbitrary and capricious personnel actions” (Chait & Ford, 1977, p. 6). Tenure also has tremendous benefits for the professor, the institution, and the public. For instance, every time an institution grants tenure to a professor, the institution gains another qualified professor. Newly tenured professors should be assured that their professional peers would guide their research, without outside interference (Chait & Ford, 1977, p.6). The research and teaching that a tenured professor engages in is beneficial because those findings may help to advance their specific fields and ultimately, the knowledge of the public. Chait and Ford also argue that tenure is beneficial because it can “create an environment conducive to faculty undertaking long term and, perhaps, high-risk projects” (1977, p.6).

Attacks on Tenure

The Commission on Academic Tenure (1973) cites that “tenure has been a favorite target for critics since inception in the United States in the early 1900s, but attacks on tenure have increased in the 1990s to a level unsurpassed since the early 1970s (Hutcheson, 1998, p. 1). This may be attributed to the increasing number of non-tenure faculty being hired:

Although new patterns of faculty employment are taking hold, the public,
business leaders, and policy makers appear to be losing patience and confidence in the validity of tenure as a guarantor of efficiency and quality in the nation’s colleges and universities. (Harvey & Immerwahr as cited in Leslie, 1998, p. 1)

McCarthyism and its Relationship to Tenure

The era of Senator Joseph McCarthy (D, Wisconsin) in the 1950s was an historic time for academic tenure. Senator McCarthy “accused many academics of contributing to Soviet espionage efforts in the United States” (Schrecker, as cited in Loope, 1995, p.4). These accusations hindered the free exchange of thoughts and ideas at a time when the United States and its main adversary, the Soviet Union, were in a technology race. McCarthy considered being associated with communist ideals, especially at the time when the Soviets launched Sputnik into space in 1957, as traitorous.

At a time when overt political intrusion threatened to prevent academics from engaging in the scholarly dialogue so necessary to higher education’s important role as cultural arbiter and critic of popular politics, tenure provided the first line of defense. (Loope, 1995, p.4)

For one internationally renowned professor who was accused by McCarthy as the top Soviet mole in America, tenure was a key factor for the professor not getting dismissed. This professor was Owen Lattimore, and he taught at Johns Hopkins University. “Lattimore’s tenure ensured that the university would not move against him unless it was prepared for a new fight with those committed to the principles of tenure and academic freedom.” (Lewis, as cited in Loope, 1995, p.4)
However, untenured faculty members fared much worse. Nearly “every untenured teacher who refused to cooperate with a congressional investigating committee lost his or her job” (Schrecker, as cited in Loope, 1995, p.4). For instance, the University of Colorado dismissed Morris Judd, an untenured philosophy instructor, for refusing to answer questions regarding his political connections (Schrecker, as cited in Loope, p. 4).

Post-Tenure Review

As Tierney (1997) states, “Post-tenure review is an assessment of one’s past performance. A performance contract also might be developed that plots out one’s future work” (p. 22). The American Association of University Professors (2001) cites that post-tenure review is “a system of periodic evaluation that goes beyond the many traditional forms of continuous evaluation utilized in most colleges and universities” (p. 51). Post-tenure review was enacted because the public demanded accountability from faculty (Hook, 2001, p.1). Post-tenure review has taken on “increasing importance in recent years because budgetary restrictions have resulted in less money for merit pay, so annual performance reviews offer less motivation to perform well” (Wales, 1996, p.9). What, therefore, constitutes a post-tenure review? According to the AAUP, it can be defined as,

Annual reports for purposes of determining salary and promotion, reviews for the awarding of grants and sabbaticals, and reviews for appointment to school and university committees, graduate faculties, interdisciplinary programs, and professional chairs and learned societies. (p. 51)

Tierney (1998) states that there are a few ways in which post-tenure reviews may be carried out: the first is yearly reviews with merit raises based on evaluations; the
second, is every third year on a rotating basis; the third, is reviews of those who warrant review (i.e., unproductive faculty). According to Tierney, “Most proponents of post-tenure review point out that they do not want to change tenure, they merely want to find the deadwood and figure out how to evaluate them” (p. 53).

Alternatives to Tenure

Critics contend that the current system of tenure is not perfect; in fact, there are several suggestions for its remedy: alternatives to tenure. Chait and Ford (1977) look at these alternatives in two ways: “modifications within a tenure system and replacement of tenure with a contract system” (p. 11). The first modification calls for a tenure quota: “when that number is reached, no one may be tenured until a tenured position is vacated” (Chait & Ford, 1977, p. 11). The second modification can be observed in early retirement programs. “By providing financial incentives, some universities have persuaded senior faculty to retire or accept part-time appointments at age 60 or 62 rather than retire at 65 or 70” (1977, p.12). Under customary tenure policies, professors who are not offered tenure at the conclusion of their probationary period must leave the institution. Critics of tenure suggest an alternative: professors who are denied tenure might be retained as non-tenure faculty on a contractual basis. This alternative is aimed exclusively at allowing teachers who are not granted tenure to remain at the institution after the probationary period (Chait & Ford, 1977, p. 12).

There are several avenues available for addressing this issue. The first is via long-term contracts. “Contract systems replace tenure with a contract for service that provides no expectation of continued employment beyond the term of the contract”
How are contracts beneficial for institutions? “The contract system provides flexibility; as many faculty members leave at mid-contract as leave through non-reappointment, either because they are concerned about their performance or because a periodic self-evaluation has persuaded them to seek other professional opportunities” (Glazer, 1979, p. 16). Most contracts are contingent upon reviews, but they also include “a written statement of goals and objectives developed by the faculty member with advice from students, colleagues and academic administrators” (Chait & Ford, 1977, p.13). There are disadvantages with this option as well. For instance, periodic reviews tend to make faculty members anxious because the review process is so thorough that they are sometimes embarrassing (Chait & Ford, p. 16). Also, how does the review process of an experienced teacher differ from that of a novice? The review process needs to be clear and explicit so all parties are aware of what to expect.

The contract system has attractive qualities that should not be overlooked. Although professors could take higher paying jobs outside of academe without guaranteed future employment, many choose to stay at institutions and seek tenured positions. When an institution grants tenure to a professor, the contract is primarily based on the potential of the professor, not finances. Since tenure cannot possibly be offered to every professor, what happens when a professor spends his/her entire career trying to attain tenure but then gets denied? Tierney (1998) states that critics of tenure view contracts “as creating more problems rather than less because academics will have less job security and incentive to change” (p. 49).

The next alternative is tenure and salary definition. Tierney (1998) states, “that tenure equals a portion of one’s salary, but not necessarily the entirety of it” (p.49). This
allows for the professor to share in the responsibility for generating the other portion of his or her salary. This makes generating the additional revenue a responsibility for the entire department. “The strength of this suggestion is that it enables the institution to have flexibility and to move resources from one area to another” (Tierney, 1997, p. 20). This could also have an impact on the entire department, if, collectively they worked to generate the remaining income.

Tierney (1997) offers another alternative to tenure, which is locating tenure. This idea calls for tenure being generated from certain departments, rather than the institution. If an institution decides to eliminate a program or reduce a department, the institution will be able to terminate faculty without declaring financial exigency (p. 20). Professors with degrees in very specific fields would shy from this alternative because there is not much job security. Chait and Trower (1997) argue that locating tenure has benefits: “faculty are able to operate in a system where specific incentives challenge them to change, adapt, and improve rather than hold on to outmoded ways of operating in an organization” (as cited in Tierney, 1997, p. 20).

Conclusion

Although there is an abundance of literature on academic freedom and tenure, it is clear that the concept of tenure is a deeply misunderstood term. Often (falsely) equated with guaranteed lifetime employment, tenure needs to be examined for what it is and what it offers. Its history is deeply embedded within the fabric of academic freedom and higher education, but its future is currently under attack. Tenure came about to protect the academic freedom of those professors in search of truths, but not all professors will
Professors, for the most part, struggle to achieve tenure, but are they really aware of what it is and the role it plays in higher education? Therefore, research must be conducted to determine how aware the professoriate is regarding academic freedom, tenure, and its alternatives because the face of tenure may be changing.

As the basis, or conceptual framework, for this study, I have used the recent works of William G. Tierney (1997, 1998). Using the five issues he has identified in his discussion of academic freedom and tenure, I have posed the following research questions that have guided this study.

1. What are the present perceptions of tenure among faculty at a mid-sized regional university in a large northeastern state?

2. What are the present perceptions regarding academic freedom among faculty at a mid-sized regional university in a large northeastern state?

3. What are the present perceptions of faculty at a mid-sized regional university in a large northeastern state regarding alternatives to tenure?
CHAPTER 3
METHODOLOGY

Subjects and Sampling

To address the research questions for this study, faculty members at a mid-sized regional university in a large northeastern state were surveyed. The population of this regional university's tenured and tenure-track faculty includes 355 professors. For this study, a 50% sample was selected using a systematic random sampling procedure from an alphabetically ordered list of all university faculty members. In employing this design, a sample of 178 subjects was selected.

These subjects represent an accurate and descriptive sample of the entire regional university faculty. The overall analysis of the faculty in the population is as follows: the number of tenured professors is 235 (66.2%) and the number of tenure-track professors is 120 (33.8%). The number of male professors is 215 (60.6%) and the number of female professors is 140 (39.4%). The ethnic composition of the faculty population is as follows: 268 (75.5%) are white, non-Hispanic, and the remaining 87 (24.5%) are minority group members. Finally, the number of full professors is 96 (27.0%), the number of associate professors is 111 (31.3%), and the number of assistant professors is 148 (41.7%).

The demographics of the sample compare favorably with the population profile. Sixty-five (36.5%) of the professors are female and 113 (63.5%) are male. Fifty-nine (33.1%) of the professors are tenure-track professors, while 119 (66.9%) of the professors
are tenured faculty. One hundred thirty-five (75.8%) of the professors are white, non-Hispanic, and 43 (24.2%) of the professors surveyed are minority. The ranks of the surveyed professors are as follows: 49 (27.5%) are full professors, 56 (31.5%) are associate professors, and 73 (41.0%) are assistant professors.

**Instrumentation**

The instrument for this study was a survey questionnaire. The instrument guaranteed the anonymity of those whom completed and returned the survey. The survey instrument was also field-tested to ensure validity.

The questionnaire included a number of questions such as demographic information regarding rank, gender, and race. Statements regarding tenure and academic freedom from the literature review were the basis for the survey. Since tenure is rooted in academic freedom, professors were asked questions regarding their knowledge and perception of the tenure process, and if the future of academic freedom, as protected by tenure, is a real concern to them.

The survey first asked seven demographic questions: four of which could be answered by checking the appropriate response and three of which could be answered by filling in the blank. Following was a series of thirty statements in which the respondents were asked to rate their level of agreement in several areas. The scale used was:

1 – strongly agree

2 – agree

3 – neither agree nor disagree

4 – disagree

5 – strongly disagree
The questions were designed to obtain a rating of overall perception and knowledge by the professors at a regional university about academic freedom, tenure, and alternatives to tenure.

The third section of the survey was optional; it provided space for professors to make additional comments on academic freedom and tenure.

The instrument was distributed via inter-office mail to the predetermined professors' offices. The surveys were returned via inter-office mail to the researcher. Two follow-up surveys were distributed approximately one and two weeks after the due date for initial data collection. Approximately 46% of the professors chose not to respond to the survey; therefore, a non-response bias check was performed to determine if the respondents were significantly different from the whole population. The results of this non-bias check are reported in the next section.

Data Analysis

The data were entered into SPSS (Statistical Packaging for the Social Sciences) and analyzed using frequencies, independent sample t-tests, and oneway ANOVA tests.
CHAPTER 4
PRESENTATION OF THE RESEARCH FINDINGS

There were 178 surveys sent to various professors, and 96 were returned. Of these, 66 were male, 27 were female, and 1 individual declined to respond. The professorial ranks were as follows: 29 were full professors, 27 were associate professors, 39 were assistant professors, and 1 declined to respond. The ethnicity of the 96 professors showed 74 to be Caucasian, non-Hispanic, 20 were minority, and 2 declined to respond. Finally, 65 professors were tenured, 29 were tenure-track, and 2 declined to respond.

To check for non-response bias, I compared the characteristics of the respondents with the known characteristics of the Rowan faculty population. I found that the respondents compared favorably with the population on all four demographic characteristics. The results of this comparison are shown below in Table 1.
Table 1

Complete Survey Sample as Compared to the Actual Sample and Whole Population

<table>
<thead>
<tr>
<th>Completed Survey Sample</th>
<th>Sample</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>(N=96)</td>
<td>(N=178)</td>
<td>(N=355)</td>
</tr>
</tbody>
</table>

**Gender:**
- Male: 66 (68.8%) 113 (63.5%) 215 (60.6%)
- Female: 29 (30.2%) 65 (36.5%) 140 (39.4%)
- No Response: 1 (1.0%) - -

**Professorial Rank: Full**
- 29 (30.2%) 49 (27.5%) 96 (27.0%)
- Associate: 27 (28.1%) 56 (31.5%) 111 (31.3%)
- Assistant: 39 (40.6%) 73 (41.0%) 148 (41.7%)
- No Response: 1 (1.0%) - -

**Ethnicity: Caucasian, non Hispanic**
- 74 (77.1%) 135 (75.8%) 268 (75.5%)
- Other: 20 (20.9%) 43 (24.2%) 87 (24.5%)
- No Response: 2 (2.1%) - -

**Tenure Status: Tenured**
- 65 (67.7%) 119 (66.9%) 235 (66.2%)
- Tenure-track: 29 (30.2%) 59 (33.1%) 120 (33.8%)
- No Response: 2 (2.1%) - -

The participants were asked to rate their perceptions of academic freedom, tenure, and alternatives to tenure using a five-point Likert scale. The survey also contained an area for participants to add any additional comments regarding academic freedom and tenure; these comments appear in Appendix A.

The responses given to several of the questions provided some insight into the ideas and understandings of the participants regarding the tenure system in general.
Some of the responses appeared to contradict common understandings reported in the literature. This can be seen in Table 2.

Table 2
Faculty Perceptions
Selected Issues Regarding Tenure
(N=96)

<table>
<thead>
<tr>
<th>Question</th>
<th>Strongly Agree</th>
<th>Agree</th>
<th>Neutral</th>
<th>Disagree</th>
<th>Strongly Disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>The primary goal of tenure is to protect academic freedom.</td>
<td>46.3%</td>
<td>34.7%</td>
<td>6.3%</td>
<td>10.5%</td>
<td>2.1%</td>
</tr>
<tr>
<td>Tenure provides lifetime job security.</td>
<td>14.7%</td>
<td>48.4%</td>
<td>13.7%</td>
<td>16.8%</td>
<td>6.3%</td>
</tr>
<tr>
<td>Tenured faculty members can be fired for just cause.</td>
<td>38.5%</td>
<td>46.9%</td>
<td>4.2%</td>
<td>7.3%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Unwarranted faculty dismissals prompted the inception of tenure.</td>
<td>14.1%</td>
<td>26.1%</td>
<td>51.1%</td>
<td>7.6%</td>
<td>1.1%</td>
</tr>
<tr>
<td>Tenured faculty members are entitled to due process before they can be dismissed.</td>
<td>60.4%</td>
<td>38.5%</td>
<td>1.0%</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Once professors attain tenure, it can not be revoked.</td>
<td>6.3%</td>
<td>12.5%</td>
<td>13.5%</td>
<td>46.9%</td>
<td>20.8%</td>
</tr>
<tr>
<td>The dismissal of untenured faculty must precede the dismissal of tenured personnel.</td>
<td>7.6%</td>
<td>19.6%</td>
<td>33.7%</td>
<td>31.5%</td>
<td>7.6%</td>
</tr>
<tr>
<td>Tenure prohibits institutions from taking action to alleviate unproductive tenured professors.</td>
<td>9.6%</td>
<td>35.1%</td>
<td>16.0%</td>
<td>28.7%</td>
<td>10.6%</td>
</tr>
<tr>
<td>Abolishing tenure would make academe more efficient, productive, and streamlined.</td>
<td>4.2%</td>
<td>12.6%</td>
<td>17.9%</td>
<td>33.7%</td>
<td>31.6%</td>
</tr>
<tr>
<td>Question</td>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Neutral</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------------</td>
<td>---------</td>
<td>---------</td>
<td>----------</td>
<td>------------------</td>
</tr>
<tr>
<td>Risk-taking in research is often diminished among non-tenured professors in order to ensure the production of publishable work for tenure.</td>
<td>16.0%</td>
<td>54.3%</td>
<td>14.9%</td>
<td>13.8%</td>
<td>1.1%</td>
</tr>
<tr>
<td>Tenure track faculty members often need to acquiesce to senior faculty members if they want to achieve tenure.</td>
<td>16.8%</td>
<td>48.4%</td>
<td>14.7%</td>
<td>15.8%</td>
<td>4.2%</td>
</tr>
<tr>
<td>Tenure should be abolished.</td>
<td>5.3%</td>
<td>8.4%</td>
<td>11.6%</td>
<td>30.5%</td>
<td>44.2%</td>
</tr>
<tr>
<td>The decision to award tenure is based on two factors: assessment of past performance and the potential of the individual in future endeavors.</td>
<td>16.1%</td>
<td>64.5%</td>
<td>11.8%</td>
<td>6.5%</td>
<td>1.1%</td>
</tr>
<tr>
<td>Academic freedom refers to the ability of the individual to study and to teach whatever he/she wants without fear of recrimination.</td>
<td>22.1%</td>
<td>42.1%</td>
<td>11.6%</td>
<td>20.0%</td>
<td>4.2%</td>
</tr>
<tr>
<td>Academic freedom is a constitutional right.</td>
<td>10.8%</td>
<td>14.0%</td>
<td>24.7%</td>
<td>31.2%</td>
<td>19.4%</td>
</tr>
<tr>
<td>The freedom to speak or to write as a citizen without speaking on behalf of the institution is a component of academic freedom.</td>
<td>31.6%</td>
<td>37.9%</td>
<td>10.5%</td>
<td>13.7%</td>
<td>6.3%</td>
</tr>
<tr>
<td>In contemporary higher education, few individuals actually need the protection that academic freedom was designed to provide.</td>
<td>4.2%</td>
<td>18.8%</td>
<td>12.5%</td>
<td>43.8%</td>
<td>20.8%</td>
</tr>
<tr>
<td>Academic freedom is weakened when tenure is threatened.</td>
<td>30.2%</td>
<td>41.7%</td>
<td>22.9%</td>
<td>5.2%</td>
<td>-</td>
</tr>
<tr>
<td>If tenure protects academic freedom, then those without tenure are not afforded the same protection.</td>
<td>12.5%</td>
<td>56.3%</td>
<td>13.5%</td>
<td>16.7%</td>
<td>1.0%</td>
</tr>
<tr>
<td>Question</td>
<td>Strongly Agree</td>
<td>Agree</td>
<td>Neutral</td>
<td>Disagree</td>
<td>Strongly Disagree</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>----------------</td>
<td>-------</td>
<td>---------</td>
<td>----------</td>
<td>-------------------</td>
</tr>
<tr>
<td>If tenure were revoked, long-term contracts would meet the needs of most college or university faculty.</td>
<td>4.2%</td>
<td>31.3%</td>
<td>18.8%</td>
<td>28.1%</td>
<td>17.7%</td>
</tr>
<tr>
<td>Long-term contracts enhance institutional flexibility.</td>
<td>9.6%</td>
<td>40.4%</td>
<td>30.9%</td>
<td>16.0%</td>
<td>3.2%</td>
</tr>
<tr>
<td>If I were given the option to choose between attaining tenure or having a long-term contract with an incentive (i.e. bonus, merit-pay, extra travel allowance), I would choose tenure.</td>
<td>30.2%</td>
<td>35.4%</td>
<td>13.5%</td>
<td>15.6%</td>
<td>5.2%</td>
</tr>
<tr>
<td>Long-term contracts are problematic because there is less job security.</td>
<td>11.5%</td>
<td>51.0%</td>
<td>22.9%</td>
<td>12.5%</td>
<td>2.1%</td>
</tr>
<tr>
<td>Post-tenure review is conducted to improve professional development.</td>
<td>4.2%</td>
<td>65.3%</td>
<td>18.9%</td>
<td>10.5%</td>
<td>1.1%</td>
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<tr>
<td>Post-tenure review can detect unproductive faculty so they can be removed.</td>
<td>4.2%</td>
<td>22.9%</td>
<td>24.0%</td>
<td>42.7%</td>
<td>6.3%</td>
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<td>Institutions should provide an early retirement program for older tenured faculty.</td>
<td>11.5%</td>
<td>52.1%</td>
<td>27.1%</td>
<td>6.3%</td>
<td>3.1%</td>
</tr>
<tr>
<td>Professors who have reached the end of their probationary period and have not been offered tenure should have the option to remain at the institution.</td>
<td>6.3%</td>
<td>21.1%</td>
<td>27.4%</td>
<td>34.7%</td>
<td>10.5%</td>
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</table>
Nearly 63% of the professors agreed (i.e., agree or strongly agree) with the statement, *tenure provides lifetime job security*, which may seem to be true; however, this is a common misconception both within academe and with the general public. According to the chairman of the AAUP's Committee A on Academic Freedom and Tenure: "tenure, accurately and unequivocally defined, lays no claim whatsoever to a guarantee of lifetime employment" (Alstyne, as cited in Finkin, 1996, p. 4). Therefore, more than one-half of the faculty at this regional university apparently misunderstand one of the basic tenets of tenure because they link the institution of tenure with guaranteed lifetime employment. However, in defense of the common assumption that *tenure provides lifetime job security*, tenure is secure because many colleges refuse to test tenure laws.

Another statement, *tenured faculty members can be fired for just cause*, which is true, was disagreed (i.e., disagree or strongly disagree) with by 10% of the faculty. Similarly, the statement, *once professors attain tenure, it can not be revoked*, is false, but nearly 19% of the faculty at this regional university agreed (i.e., agree or strongly agree) with it. Tenured faculty members certainly appear to have more latitude than faculty members without tenure, but that does not exempt any faculty member from justifiable dismissal. Chait and Ford (1977) cite several circumstances that warrant elimination: "professional incompetence, acts of moral turpitude, serious violations of law, neglect of duty, insubordination and dishonesty in teaching and research" (p.4).

The amount (18%) of agreement (i.e., agree or strongly agree) to the following statement, *once a faculty member achieves tenure, accountability essentially becomes meaningless*, was rather surprising. If this were true, attaining tenure would be the reward for years of past work alone, while future endeavors (i.e., research, teaching, and
service) would be moot. Once again, citing Chait and Ford’s (1977) work as a reference, if professors are found to be professionally incompetent, they can surely be held accountable.

Tenure and institutions of learning have become very entwined with one another for the past century, and for this reason, academics tend to be tenure’s biggest supporters and defenders. However, at this regional university, 17% of the faculty agree (i.e., agree or strongly agree) that abolishing tenure would make academe more efficient, productive, and streamlined. Although this number does not represent the majority, nearly one-fifth of the faculty feel that tenure can potentially limit institutional flexibility, resulting in limited effectiveness. Tierny (1998) contends that at least five separate issues (fiscal crises, “deadwood,” experimentation being lessened, not tenured means not protected, and academic freedom) can either be seen as advantages or disadvantages and, depending which lens is used to view the issue, ridding an institution of tenure can certainly make it appear to be more productive.

Could tenure, which enables faculty to state their minds on controversial topics or to challenge conventional thought processes that face the world, no longer be necessary? Fourteen percent of the faculty agrees (i.e., agree or strongly agree) that tenure should be abolished. This percentage is significant because 68% of the respondents are tenured faculty members themselves.

The statement academic freedom is a constitutional right was posed on the survey questionnaire. This is unequivocally false; yet, 25% of the faculty believes it to be true. According to Tierny (1998), “academic freedom refers to the ability of the individual to study and to teach whatever he or she wants to without threat of sanction” (p. 41).
Several of the faculty members need to be reminded that the First Amendment to the Constitution protects freedom of speech; the First Amendment is often cited to safeguard academic freedom, but in no way is academic freedom a right under the United States Constitution.

There were several other survey questions regarding academic freedom that triggered unexpected responses. Chait and Ford (1982) cite three components to academic freedom: “(1) the freedom to conduct and publish research, (2) the freedom to teach and discuss appropriate subject matters without introducing irrelevant issues, and (3) the freedom to speak or write as a citizen without speaking on behalf of the institution” (p. 55). However, when the faculty at this regional university was posed the following queries, the responses were unexpected: academic freedom refers to the ability of the individual to study or to teach whatever he/she wants without fear of recrimination, was disagreed with (i.e., disagree or strongly disagree) by 25%; and the freedom to speak or to write as a citizen without speaking on behalf of the institution is a component of academic freedom was disagreed with (i.e., disagree or strongly disagree) by 20%. If academic freedom is the basis for keeping and defending the institution of tenure, many of the professors apparently misunderstand these concepts.

Then again, this may very well justify why 23% of the faculty at this regional university agree that in contemporary higher education, few individuals actually need the protection that academic freedom was designed to provide. Whether or not academic freedom is slightly misunderstood or that nearly one-fourth of the professors feel that only a few faculty members actually test the principles of academic freedom, the percentage speaks volumes.
If tenure were revoked, long-term contracts would meet the needs of most college or university faculty and long-term contracts inspire professors to stay current in their fields of study were agreed with (i.e., agree or strongly agree) by 36% and 34%, respectively. These percentages reinforce the notion that alternatives to tenure are being considered. As per Tierney (1998), the strength of long-term contracts “is that it enhances institutional flexibility, provides the opportunity to downsize academic areas that may no longer be of academic interest, and ensures that academics maintain a degree of scholarly vitality if they want to be renewed for an additional term” (p. 48). What is also remarkable is that approximately 20% of the faculty disagreed with (i.e., disagree or strongly disagree) if I were given the option to choose between attaining tenure or having a long-term contract with an incentive (i.e. bonus, merit-pay, extra travel allowance), I would choose tenure. More people clearly favor attaining tenure, but one out of every five would opt for a long-term contract.

With regard to post-tenure review, 12% of the faculty at this regional university disagreed (i.e., disagree or strongly disagree) that post-tenure review is conducted to improve professional development. Essentially, one out of every ten-faculty contends that this review process therefore serves another purpose. If, as some might understandably argue, the purpose of post-tenure review is to locate and evaluate deadwood, Tierney (1998) cites this type of evaluation, “appears headed only in the direction of scapegoating individuals rather than solving the problem” (p. 53). The president of the AAUP asserts “it is self-evident that the problem of deadwood does not lie with tenure but with institutions that do not honestly evaluate individuals prior to the
granting of tenure, that do not ensure help when problems arise, or that do not take the appropriate steps to terminate for cause" (Tierney, 1998, p.53).

Lastly, institutions should have a tenure quota (i.e. only a specified percentage of the faculty may be awarded tenure) was disagreed with (i.e., disagree or strongly disagree) by 80% of the faculty. However, this is significant because almost 10% of the faculty agreed (i.e., agree or strongly agree) with the statement. The high disagreement (i.e., disagree or strongly disagree) percentage may reflect older faculty remembering that this regional university used to have a tenure quota system, which was a state requirement, in the 1990s. The state laws became more relaxed, and consequently, the regional university abandoned tenure quotas. The faculty at this regional university has strong views about tenure and the control it can place on an institution. If too many faculty members are tenured, the financial burden upon the institution increases, while the rate of circulating new faculty members decreases.

The faculty generally agreed (i.e., agree or strongly agree) with four survey questions (75% or more). The first area of agreement, the primary goal of tenure is to protect academic freedom, was shared by 81% of the professors. The second area, tenured faculty members can be fired for just cause, was held in agreement by 85% of the professors surveyed. Tenured faculty members are entitled to due process before possible dismissal was a shared principle by an overwhelming 99% of the professors. Finally 81% of the surveyed professors believed that the decision to award tenure is based on two factors: assessment of past performance and the potential of the individual in future endeavors. The responses to these questions support the literature.
Conversely, there was only one statement that had an overwhelming percentage of professors disagreeing with (i.e., disagree or strongly disagree) a survey question (80%). Professors strongly opposed the following statement: Institutions should have a tenure quota (i.e. only a specified percentage of the faculty may be awarded tenure).

Additionally many of the participants expressed strong concern over this statement because they feel institutions should take many factors into consideration before granting tenure; a quota was not one of them.

I did several inferential statistical tests. I ran two independent samples t-tests on the gender and tenure variables and a oneway ANOVA on professorial rank.

Statistically significant differences were noted on two issues (a) “tenure provides lifetime job security” (p=.006), and (b) “once a faculty member achieves tenure, accountability essentially becomes meaningless” (p=.03) on the gender variable. For the former, females were more inclined than their male colleagues to agree with the statement; however, it is clear that both male and female professors are in agreement on this issue. For the latter, females were more inclined to disagree with the statement; however, once again, it is clear that both genders disagreed with the statement.

Concerning the tenure variable, statistically significant differences were noted on two issues (a) “the freedom to speak or write as a citizen without speaking on behalf of the institution is a component of academic freedom” (p=.021), and (b) “if tenure protects academic freedom, then those without tenure are not afforded the same protection” (p=.022). For the first issue, tenured professors were more likely than their tenure-track counterparts to agree with the statement; however, it is clear that both tenured and tenure-track faculty agree on the issue. For the second issue, tenured professors were more
inclined than their non-tenured colleagues to agree with the statement; however, once again, it is clear that both tenured and tenure-track faculty agree with the statement.

Statistically significant differences were noted on one issue: "academic freedom refers to the ability of the individual to study and to teach whatever he/she wants without fear of recrimination" (p=.033) on the professorial rank variable. Associate professors seem to be more inclined to agree with the statement than assistant professors; however, it is clear that both associate and assistant professors agree with the statement.
CHAPTER 5
CONCLUSIONS AND RECOMMENDATIONS

This study has proven that tenure is and will continue to be an institution that is elusive not only to the general public but also to many of the professoriate as well. Most professors desperately want to attain tenure, and they know the march to tenure can be labor-intensive; however, at this regional university, not every professor seems to clearly understand the underlying purpose of tenure. In order for tenure to withstand future scrutiny and remain a part of academe, it must first be understood at the institution level. Only after this is accomplished can the truth about tenure and its leading misconceptions be dispelled.

This survey on the perceptions of academic freedom, tenure, and alternatives to tenure was successful because it represented the whole campus. The anonymity of the professors was preserved so that honest perceptions, thoughts, and ideas could be reported. The majority of professors feel that tenure is the only way to protect academic freedom and integrity, while a few younger non-tenured professors feel that an alternative to tenure should be examined.

This survey was the first step at gauging how faculty at a mid-sized regional university in a large northeastern state perceives academic freedom, tenure, and alternatives to tenure. Hopefully, tenure will be seen for what it is rather than perceived to be.
Often professors become overwhelmed and feel the pressure to become tenured. In the process, professors can lose sight that tenure means more than research: attaining tenure entails research, teaching, and volunteerism. The review of the literature on tenure provided much insight into academic freedom, tenure, and possible alternatives to tenure, while citing that tenure can dramatically affect a budget. Eliminating tenure will not solve long-term problems, but it will provide increased institutional flexibility.

The importance of learning about tenure became more important throughout the project. If tenure is misconceived from both within academic circles and the public at large, including legislators, then how it has lasted has defied time. If professors were aware of what their colleagues thought and tenure and academic freedom were clearly defined in contracts, then perhaps they could forge together to stand behind or oppose the principles of tenure.
REFERENCES


Survey Questionnaire on Academic Freedom and Tenure

This survey is being administered as part of a master’s degree research project. While your participation is voluntary and you are not required to answer any of the questions herein, your cooperation and participation are important to the success of the project and are greatly appreciated. If you choose to participate, please understand that all responses are strictly confidential and no personally identifiable information is being requested.

This study asks a series of questions related to tenure and academic freedom. Please base your responses, not necessarily on your position at this university, but rather on the general function of tenure and academic freedom within higher education.

1. What is your gender? Male_____ Female_____
2. What is your current professorial rank?
   Full Professor_____ Associate Professor_____ Assistant Professor_____ 
3. What is your ethnic race? Caucasian, non-Hispanic_____ 
   Asian-American_____ African American, non-Hispanic_____ 
   Hispanic (including Latino and Mexican)_____, other_____ 
4. What is your principal field of study? __________
5. Are you currently a tenured professor? Yes_____ No_____
6. For how many years have you been a college or university professor?__________
7. For how many years have you been a professor at Rowan University?__________

To what extent do you agree or disagree with the following statements.

<table>
<thead>
<tr>
<th>Statement</th>
<th>S.</th>
<th>A</th>
<th>Neither A. or D.</th>
<th>D.</th>
<th>S.D.</th>
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<tr>
<td>8. The primary goal of tenure is to protect academic freedom.</td>
<td>1</td>
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<td>9. Tenure provides lifetime job security.</td>
<td>1</td>
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<td>10. Tenured faculty members can be fired for just cause.</td>
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<td>11. Unwarranted faculty dismissals prompted the inception of tenure.</td>
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<td>12. Tenured faculty members are entitled to due process before they can be eliminated in employment.</td>
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<td>Statement</td>
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<td>13. Once professors attain tenure, it cannot be revoked.</td>
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<td>13. The dismissal of untenured faculty must precede the release of tenured personnel.</td>
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<td>14. Tenure prohibits institutions from taking action to alleviate unproductive tenured professors, also known as “deadwood.”</td>
<td>1</td>
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<td>15. Abolishing tenure would make academe more efficient, productive, and streamlined.</td>
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<td>16. Once a faculty member achieves tenure, accountability essentially becomes meaningless.</td>
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<td>17. Experimentation in research is often diminished among non-tenured professors in order to ensure the production of publishable work for tenure.</td>
<td>1</td>
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<td>19. Tenure track faculty members often need to acquiesce to senior faculty members if they want to achieve tenure.</td>
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<td>20. Tenure should be abolished.</td>
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<tr>
<td>Statement</td>
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<td>21. The decision to award tenure is based on two factors: assessment of past performance and the potential of the individual in future endeavors.</td>
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<td>22. Academic freedom refers to the ability of the individual to study and to teach whatever he/she wants without fear of recrimination.</td>
<td>1</td>
<td>2</td>
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<tr>
<td>23. Academic freedom is a constitutional right.</td>
<td>1</td>
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<tr>
<td>24. The freedom to speak or write as a citizen without speaking on behalf of the institution is a component of academic freedom.</td>
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<tr>
<td>25. In contemporary higher education, few individuals actually need the protection that academic freedom was designed to provide.</td>
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<td>26. Academic freedom is weakened when tenure is threatened.</td>
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<td>27. If tenure protects academic freedom, then those without tenure are not afforded the same protection.</td>
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<td>28. If tenure were revoked, long-term contracts would meet the needs of most college or university faculty.</td>
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<td>29. Long-term contracts inspire professors to stay current in their fields of study.</td>
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<tr>
<td>Statement</td>
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<td>Neither A. or D.</td>
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<td>30. Long-term contracts enhance institutional flexibility.</td>
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<tr>
<td>31. If I were given the option to choose between attaining tenure or having a long-term contract with an incentive (i.e. bonus, merit-pay, extra travel allowance), I would choose tenure.</td>
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<td>32. Long-term contracts are problematic because there is less job security and incentive to change.</td>
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<td>33. The reason for post-tenure review is fiscal.</td>
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<td>34. Post-tenure review is conducted to improve professional development.</td>
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<td>35. Post-tenure review can detect “deadwood” so that unproductive faculty can be removed.</td>
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<td>36. Institutions should have a tenure quota.</td>
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<tr>
<td>37. Institutions should provide an early retirement program for older tenured faculty.</td>
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<tr>
<td>38. Professors who have reached the end of their probationary period and have not been offered tenure should have the option to remain at the institution.</td>
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Please use the following space to make whatever comments you wish on academic freedom and/or tenure.

Thank you for answering these questions.