

Motion for UFS to endorse the substance of this resolution and for the UFS President to transmit the endorsement to the Chancellor, Board of Trustees, and the President of United University Professions as called for in the resolution. [47 aye, 1 nay]

TO: The SUNY Faculty Senate

FROM: The University at Buffalo Faculty Senate
Chair, Suzanne Laychock

RE: RESOLUTION TO call for a change in the SUNY Board of Trustees Term Appointment Policies and to ask the SUNY Faculty Senate to support the change with its own resolution addressed to the Board of Trustees.

DATE approved by unanimous vote of the University at Buffalo Faculty Senate: 3/26/24

DATE forwarded to the SUNY Faculty Senate: 3/28/24

RATIONALE:

WHEREAS The Board of Trustees Policies currently state, in *Article IX Title D. TERM APPOINTMENT:*

§1. Definition. Except as provided in Section 6 of this Title, a term appointment shall be an appointment for a specified period of not more than three years, which shall automatically expire at the end of that period unless terminated earlier because of resignation, retirement, or termination.

[...]

§4. Renewal of Term. Except as provided in this Article, term appointments may be renewed by the chief administrative officer of the college for successive periods of no more than three years each; such renewals shall be reported to the Chancellor. No term appointment, of itself, shall be deemed to create any manner of legal right, interest, or expectancy in any other appointment or renewal; and

WHEREAS non-tenure track faculty provide a critical contribution to SUNY in teaching, in research, and in clinical practice; and

WHEREAS the three-year limit to term appointments contributes to a loss of job satisfaction among non-tenure track faculty; and

WHEREAS the three-year term limit increases faculty turnover, and impairs SUNY's reputation for teaching, research, and collegiality; and

WHEREAS the three-year term limit impairs SUNY's ability to attract, hire, and retain qualified non-tenure track faculty; and

WHEREAS the three-year term limit increases costs across SUNY due to faculty turnover; and

WHEREAS peer universities in the American Association of Universities, such as the University of Pittsburgh, University of Rochester, The University of North Carolina- Chapel Hill, among others, provide for renewable contracts of at least five years; and

WHEREAS accrediting agencies, such as the American Bar Association, require schools to provide presumptively renewable five-year contracts to non-tenured full-time faculty; and

RESOLUTION:

THEREFORE BE IT RESOLVED that the Faculty Senate of the University at Buffalo calls for substituting “not more than five years” for “not more than three years” in the clauses cited above with the result that they shall read as follows:

§1. Definition. Except as provided in Section 6 of this Title, a term appointment shall be an appointment for a specified period of not more than five years, which shall automatically expire at the end of that period unless terminated earlier because of resignation, retirement, or termination. [...]

§4. Renewal of Term. Except as provided in this Article, term appointments may be renewed by the chief administrative officer of the college for successive periods of no more than five years each; such renewals shall be reported to the Chancellor. No term appointment, of itself, shall be deemed to create any manner of legal right, interest, or expectancy in any other appointment or renewal [;]; and

FURTHER BE IT RESOLVED that the adoption of this change to the Term Appointment Policy apply to all non-tenure track faculty, including the titles of Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor, Research Assistant Professor, Research Associate Professor, Research Professor and Lecturer; and

FURTHER BE IT RESOLVED that a five-year term appointment option for non-tenure track faculty incorporated into the SUNY Board of Trustees Policies will recognize the contribution of non-tenure track faculty to SUNY, enhance their job satisfaction, and promote retention among the university’s academic units; and

FURTHER BE IT RESOLVED that the Faculty Senate of the University at Buffalo transmit this resolution to the SUNY Faculty Senate asking that it endorse the change in the Board of Trustees Policies with its own resolution recommending that the SUNY Board of Trustees revise its Term Appointment Policies.

BACKGROUND:

1. The University at Buffalo (UB) Faculty Senate resolution calling for a change in the SUNY Board of Trustees Term Appointment Policies and to ask the SUNY Faculty Senate to support the change with its own resolution addressed to the Board grew out of a perceived need for ways to enhance non-tenure track (NTT, qualified rank) faculty satisfaction.
2. The UB Faculty Senate conducted a Satisfaction Survey of all voting faculty at this university in 2023.
 - In the UB Satisfaction Survey when faculty were asked whether “The university should develop a form of tenure for clinical and teaching faculty”, 76% of respondents (545 out of 722 total respondents) agreed/strongly agreed that the university should develop a form of tenure for clinical and teaching faculty.
 - When faculty were asked if “The status, compensation, and job security of research faculty at our university are adequate” 42% of respondents strongly/somewhat disagreed.
3. The University at Buffalo participated in 2022 in the national program called the Collaborative on Academic Careers in Higher Education (COACHE), which has been operating from the Harvard Graduate School of Education since 2003. More than 300 institutions nationwide participate in this survey to capture faculty satisfaction with a range of aspects related to teaching, service and research, tenure and promotion, departmental engagement and collegiality, and other aspects of the academic workplace. In 2022, the University at Buffalo utilized COACHE and faculty responses to continue improving satisfaction. The survey included tenured, tenure-track, and non-tenure track (NTT) faculty.

COACHE results indicated that faculty satisfaction with faculty retention at UB is at lower levels compared to our peers.

The COACHE survey results conveyed indications of potential retention issues for NTT faculty that might be counteracted by the prospect of longer terms such as the proposed availability of a 5-year term appointment:

- 24% of NTT faculty sought outside employment offers; of those, 89% did so with the intent of leaving UB.
- When asked for reasons they might consider leaving UB, 20% of NTT faculty named improving salary/benefits.
- Of those faculty who received an outside employment offer, 58% of NTT faculty considered it extremely or quite seriously.

UB leadership, including the President and Provost, agree that a longer-term contract would provide greater job security, reward experienced faculty, enhance faculty retention, and benefit students. A 5-year term appointment for NTT faculty is a viable option vs. tenure and places little or no additional financial burden on the university.