

Department of Mathematics

By-laws

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The 2003-04 By-laws Committee Members:

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By-Laws for the Department of Mathematics

A body of rules and guidelines about procedures for recruiting, hiring, and promotion of faculty already exists at the college and university level*. These guidelines and procedures provide frameworks and standards, but they leave a significant amount of leeway for individual departments. There is no single model that all departments follow. The following by-laws describe procedures adopted by the Department of Mathematics to cover the above areas and related ones. They are written so as to be compatible with the college and university frameworks. In the event of a conflict between these by-laws and college or university rules, the latter will take precedence. Amendment of these by-laws is possible via the procedure described in paragraph 9.2. In the event that college or university rules or guidelines are modified in a way that conflicts with these by-laws, the chair will formulate modifications that keep the by-laws compatible and present these changes to the department faculty for adoption via the amendment procedure.

This document presents department by-laws in the following areas: 1) Search, recruitment, and hiring of regular faculty, 2) annual reviews of pre-tenure regular faculty, 3) third-year review, 4) promotion to associate professor with indefinite tenure, 5) promotion to full professor with indefinite tenure, 6) lecturers and senior lecturers, 7) department meeting procedures, 8) emeritus professors, 9) adoption and amendment of by-laws. In the event of subsequent amendments, the foregoing list will be modified accordingly.

1. Search, recruitment, hiring of regular faculty

1.1 The regular faculty of the department consists of all tenure-track and tenured faculty, as well as all long-term associate and full professors.

For the purposes of this document, tenure-track faculty who have been recommended for tenure by the department but not yet confirmed by the university, as well as all long-term associate or full professors, shall be considered as tenured faculty, except in situations where this is prohibited by college or university regulations.

1.2 There is a department Faculty Search Committee (FSC), whose role is to develop strategies and recommendations for future hires of regular faculty, as well as post-docs, oversee search and hiring procedures, timing, etc., and to act in other search advisory or supervisory roles as deemed desirable by the chair. With the concurrence of the tenured faculty, the FSC, together with the chair, may appoint ad hoc search committees.

1.3 Official searches require explicit authorization by the dean. Such authorization is

* See the Faculty Handbook, Sections 2.1-2.4, pp. 25-46, which can be found on line at <http://www.cornell.edu/UniversityFaculty/>. Also see the current Chairs' Handbook, Sections 1.1-1.4, and Appendices 1.2, 1.4.

usually required for each search, although the chair may be able to arrange multi-year or multi-search agreements with the dean (e.g., such as in the case of continuing a failed search or initiating a search when a line or lines become available or have been open for a specified time). When decanal authorization is received for a search or searches, college and university procedures are followed, including advertising (cf. Chairs' Handbook, Sections 1.1, 1.2). In this regard, it is important to note that university policy, as explicitly enunciated by President Hunter Rawlings in 1995, places strong emphasis on affirmative action guidelines. The Mathematics Department is serious in its commitment to affirmative action and follows those guidelines. Advertisements for a search will be formulated by the chair, together with the FSC, and then submitted to the dean's office for approval before dissemination.

1.3 The department may use any of a number of search procedures for hiring regular faculty, including the following which have been used in the past.

1.3.1 The so-called "open search" procedure is one in which the best candidates are sought, irrespective of area. Groups or individual faculty members each propose a small number of candidates (one or two) for consideration by the department. Information about candidates usually is obtained from application dossiers submitted to the department in response to department advertisements, but other routes for obtaining such information are also possible. In particular, informal discussion with colleagues at other institutions with respect to possible recruits is not contrary to department policy and may even be explicitly encouraged from time to time.

1.3.2 The "targeted search" procedure is one in which a certain area has been designated by the department. A helpful tool for such a search is a department or field ad hoc search committee consisting of experts in the designated area or related areas. Such a committee can supervise advertising for "and recruitment of" candidates and can give the department expert testimony on applicants. Other routes for obtaining candidates in that field are also possible, but these may also be subject to evaluation by the ad hoc committee for the department's edification. The chair or the FSC may propose the formation of a particular ad hoc committee, to be approved by the regular faculty.

1.3.3 A "target-of-opportunity" is sometimes presented to the department. This is a distinguished mathematician (at the junior or senior level) whose recruitment would significantly enhance the department and would require special action (i.e., action apart from the normal schedule of search-recruitment-hiring).

1.4 The FSC may propose other search procedures, including a revision of the search schedule, pro-active recruitment efforts, etc., which the department may then adopt according to the following guidelines: If the proposed procedure is for a small number of searches only or for a fixed, relatively short duration (e.g., one year), then it may be adopted for a fixed term by a simple majority vote of those present at a meeting of the tenured faculty in which this item is on the agenda. If the proposed procedure is intended as a permanent addition to the department search repertoire, then it should be treated as an amendment to these by-laws.

1.5 The following steps will be followed in order for open searches and targeted searches unless the department decides otherwise by a 3/4 majority of those voting on such hires (cf., paragraph 7.1 c)).

1.5.1 The FSC makes a search proposal to the department, as specified in 1.3 or 1.4. Typically, this should take place in the spring before the proposed search.

1.5.2 The chair negotiates this proposal with the dean, including search advertisement language when relevant.

1.5.3 The FSC shall supervise distribution of information about the candidates to the department. Further information may be provided by other faculty members.

1.5.4 Nominations of candidates are presented and debated at meetings of the tenured faculty. No ranking is done at such meetings. Nor is any vote or other decision taken that will determine the outcome of any candidacy.

At such a meeting, the department or the department chair may ask the FSC to present its analysis of department hiring needs and opportunities and to make assessments of the various candidates in relation to these issues.

1.5.5 Once the tenured faculty has completed its nomination of candidates, it shall, at its next meeting, rank the candidates and vote on a motion spelling out what course of action to follow. The goal is to produce a short list of candidates.

The ranking process shall precede the motion and be separate from it. The precise method for ranking is discussed in paragraph 7.4.

Proxy ranking and voting will be allowed at this meeting under the conditions outlined in 7.4.3.

1.5.6 If rapid action is needed, the meeting to rank and vote may be held before the next regularly scheduled meeting. The chair shall organize and conduct such a meeting following the provisions of 7.1 a). As in 1.5.5, the ranking process shall precede the course-of-action motion and be separate from it.

1.6 When the tenured faculty decides on a short list, the chair and FSC shall supervise candidate visits to the department. After the last visit, the tenured faculty will meet again to discuss the candidates. Ranking and voting as described before will be done at the next meeting, unless there is a 3/4 majority of those voting to proceed to ranking and voting immediately.

Motions proposing appointments may include explicit instructions to the chair (e.g., deadlines and what course of action to pursue if the offer is declined).

1.7 Targets-of-opportunity not falling under the purview of the foregoing procedures shall be presented to the tenured faculty for discussion. Since such proposed hires are extraordinary, the tenured faculty may tailor its procedures to the situation at hand. Note that, according to Cornell rules, hiring at the tenured level is a two-part process: The department first votes to make an offer and later, if the offer is accepted, to award tenure. The normal procedure of the department is to collect most of the information required for the tenure dossier at the time of the vote to make the offer.

1.8 The chair negotiates the appointment. These negotiations may involve the dean, but they need not involve the department further unless the proposed terms of the hire are extraordinary or may affect the department in some unforeseen way, e.g., such as with future searches. In such cases, the chair should get guidance from the tenured faculty.

1.9 Votes to hire tenure-track or tenured faculty must represent a consensus of the tenured faculty, which is here taken to mean a positive vote of at least 3/4 of those voting (including admissible proxies but not including a vote of the chair).

2. Annual reviews and mentoring

The following quote from College guidelines will be taken as a starting point:

“Faculty members in probationary tenure status should be given conscientious support by the tenured faculty of the department and the close attention of the department chair or a designated mentor, particularly during the first three-year appointment. As noted in the university's Faculty Handbook, 'toward the end of each year of this appointment, the faculty member should review his or her progress with the department chairperson or with a mentor among the faculty's senior members.' “

2.1 Each tenure-track assistant professor should meet annually with the chair to review progress and/or problems both with respect to research and teaching. The chair should report to the tenured faculty concerning the meeting and then give feedback to the assistant professor. A careful summary report of all this, written by the chair, will be placed in the assistant professor's file.

3. Third-year review

3.1 From the college guidelines: “First-term [tenure-track] assistant professors should be reviewed during their third year in order to determine whether they will be offered a second three-year term prior to review for tenure.” No detailed college procedures exist for this review, with significant variation existing among departments.

3.2 Early in the assistant professor's third year, the chair shall meet with the professor to discuss plans for the third-year review. The candidate may wish to withdraw from such a

review, in which case the contract will not be renewed. A terminal year will then be offered.

3.3 If the candidate wishes to proceed with the review, the chair will appoint an ad hoc committee of tenured faculty members to evaluate and report to the tenured faculty on the candidate's work (both research and teaching).

3.4 After hearing the committee's report, the tenured faculty will decide whether to seek outside letters for further information or to proceed to a final decision on the candidate. In the event that outside letters are desired, the chair shall follow the letter-solicitation process employed for tenure review, but with perhaps a smaller number of letter-writers solicited. The process proceeds as follows: a) The candidate provides a list of potential referees, as well as a "do-not-solicit" list of people who the candidate feels might not be objective. b) The tenured faculty independently forms its own list. c) A selection is made by the tenured faculty, with the advice of the chair and the ad hoc committee, from the union of the two submitted lists so that approximately equal numbers are represented from the candidate's list alone, the tenured faculty's list alone, and the overlap, when this is possible. The tenured faculty may choose to solicit names from the "do-not-solicit" list. d) All the lists become part of the official dossier.

Once the solicited letters are received and examined by the tenured faculty, it will meet again to decide whether to renew the contract.

3.5 From the college guidelines: "The contracts of candidates who appear unlikely to gain tenure should not be renewed; these candidates may be offered an additional, terminal year in which to arrange for relocation." It is department policy to offer this terminal year.

3.6 From the college guidelines: "The successful candidate for renewal should be given clear guidance as a result of this review as to whether s/he is making appropriate progress toward a successful tenure review and, insofar as it can be specified, what further accomplishment s/he will be expected to present at that time. The college recommends that the chair include a thorough summary of the results of the third-year review and the senior faculty's views on the renewee's prospects for tenure in the letter of reappointment. A copy of this letter should be provided to the appropriate associate dean."

4. Tenure review

Published college guidelines governing the timing, requirements, and procedural aspects of the tenure review process are fairly detailed and will not be recapitulated in detail here (cf. references already cited). We do outline these steps, however.

4.1 Meeting of the chair and the candidate.

Normally, in the latter part of the fifth year or early part of the sixth, the candidate for promotion to associate professor with indefinite tenure meets with the chair for a discussion

of the tenure review process and to receive information and instructions concerning the compilation of the candidate's dossier. An earlier date for this may be agreed upon by the chair, dean, and candidate. The candidate may request a postponement of the review, but if the postponement is to be beyond the first semester of the sixth year, it requires the permission of the dean. The candidate may also request that there be no review, in which case s/he will not be considered further and be offered a terminal year.

If the candidate chooses to proceed with the review, s/he will be asked to provide a list of outside referees (including, possibly, from other departments at Cornell), as well as a “do-not-solicit” list (as described in 3.4). Also the chair appoints an ad hoc committee to give a preliminary report to the tenured faculty on the candidate's suitability for being awarded promotion with indefinite tenure and to assist with the compilation of the department's list of referees.

4.2 Preliminary review by the department

The ad hoc committee reports to the tenured faculty. In the event of convincing negative evidence, the tenured faculty may then decide not to go ahead with the review. However, normally it votes to move the process forward, in which case the next step is the compilation of a list of referees by the method already described in 3.4.

4.3 Dossier compilation

The dossier is a large document which requires two pages of college guidelines to describe. It forms the basis of all further decisions about the candidate, so it is very important that it be accurate, fair, and complete. The chair is responsible for compiling the dossier and for instructing the candidate on his/her role in the compilation, as well as keeping the candidate informed on the progress of the compilation. At the end of the compilation process, the chair discusses the overall state of the dossier with the candidate. This may include information about the number or percent of respondents and about the general tone of the outside letters. But great care should be taken to preserve the confidentiality of specific letter writers.

4.4 Review of dossier by tenured faculty

This review consists of a discussion of the dossier and a vote for or against promotion with tenure. “The College requires that the opinion of every tenured faculty member be sought, that a meeting of the tenured faculty be held to discuss the candidate's qualifications, and that a vote of the tenured faculty be obtained and recorded.”

A vote to promote a tenure-track assistant professor to a position with indefinite tenure must represent a consensus of the tenured faculty, which is here taken to mean a positive vote of at least 3/4 of the tenured faculty.

It is College practice to obtain letters explaining their vote from all tenured faculty who did not vote in favor of awarding tenure, as well as explanatory letters from a good sample of

the faculty who voted in favor. Such letters may be submitted as part of the dossier; they will be afforded the same level of confidentiality as that afforded the outside letter writers. In some cases, a tenured faculty member may not wish to share his or her views with colleagues and may choose to address a letter directly to the dean. In such a case, only those privy to the dossier after it has reached the dean's office (i.e., those in the dean's office, members of the ad hoc committee, members of FACTA, etc.) will see the letter.

4.5 Statement to the candidate of the outcome

The candidate will be informed of the outcome in writing. In the event of a negative decision, the notification will include detailed information explaining the decision to help the candidate formulate a response or appeal (as described in College guidelines).

4.6 Dossier submission to the dean and action of the dean

The tenure dossier for the candidate is augmented by a letter from the chair and forwarded to the dean. The chair's letter shall explain the department's decision and also make such additional points as the chair feels is warranted. Typically, the department's decision is positive, and the letter becomes a summary of the case for promotion.

The dean's subsequent action depends on the department's decision and on such other advice as the dean may receive. If the dean makes a positive decision, then he or she forwards a positive recommendation to the Provost and the Board of Trustees. If the dean makes a negative decision, then, after the department and candidate are informed, no further action is taken unless it is in response to an appeal by the department or the candidate.

4.7 Appeals and responses

At various points in the process outlined, if the decision at that point is negative, there are college and university provisions for an appeal or response by the department or the candidate.

5. Promotion to full professor

The procedures and timing for promotion to full professor are virtually the same as those for promotion to associate professor with indefinite tenure. They are spelled out in detail by College guidelines. We quote: "The College expects the candidates to present an exceptional record in research and teaching, to rank very high when compared to colleagues in the same field at similar stages in their careers at peer institutions, and to be a leader in the field."

A discussion and vote to promote to the position of full professor with indefinite tenure shall be conducted by the full professors of the department. A vote to promote must represent a consensus of this body, which is here taken to mean a positive vote of at least 3/4 of the full professors on the faculty.

There are two principal differences between the procedures for promotion to full professor and promotion to associate professor with indefinite tenure.

The first has to do with postponement of the review, either at the candidate's request or because of a negative department decision. In that case, a definite timetable for another review is set in consultation between the candidate and the dean, usually within a three-year period.

The second difference involves decanal procedure after the dossier is submitted. Recent practice has the dean request advice not from an ad hoc committee but from the dean's Advisory Committee on Appointments.

6. Lecturers and senior lecturers

The university does not recognize lecturers and senior lecturers to be members of the university faculty or the graduate faculty. Lecturers with appointment terms of at least three years and senior lecturers are, however, non-voting members of the college faculty. (These will be called long-term lecturers.) The university leaves autonomy to the college and departments to determine how such lecturers and senior lecturers will participate in faculty affairs at the college and department level, except that it does specify that such lecturers shall participate in the hiring of lecturers, and senior lecturers shall participate in the hiring and renewal of lecturers and senior lecturers.

6.1 Normally, after permission is granted by the dean, a lecturer is hired for a period of three years. If continuation of the position is contemplated by the Department and the lecturer, a third-year review is conducted. These are departmental reviews, similar to those for tenure-track faculty. A renewal is normally for five years at the level of Senior Lecturer. Thereafter, reviews for possible renewals are conducted every five years.

6.2 Special circumstances may make it desirable to have the initial hire at the level of Senior Lecturer and for a five-year period.

6.3 As with tenure-track hiring, the chair supervises the hiring of lecturers and senior lecturers. He/she shall receive the advice and consent of (a) the current lecturers and senior lecturers, and (b) the regular faculty.

6.4 Promotions and renewals of lecturers and senior lecturers shall be supervised by the chair, following college guidelines, and subject to the advice and consent of (a) the current senior lecturers, and (b) the tenure-track and tenured faculty.

6.5 Long-term lecturers (cf., the introductory paragraph of section 6) shall be invited to all portions of department faculty meetings concerning undergraduate teaching and curricular issues. They may vote on motions connected with these issues.

7. Department meeting procedures

7.1 Meetings

a) Meetings of the regular faculty shall be held at regular times, usually once a week, unless pressing business requires an extraordinary meeting or meetings. Regular meetings shall be announced to the regular faculty no later than the end of work on Friday of the week preceding the meeting, which announcement shall be accompanied by an agenda.

Extraordinary meetings of the regular faculty shall be arranged by the chair with at least 48 hours notice to the faculty. Faculty unable to attend such a meeting shall be automatically entitled to a proxy vote, subject to provision 7.4.3.

The above guidelines do not prohibit the chair from arranging meetings of other groups of faculty (e.g., of all non-visiting faculty in the department).

b) The default standard for conduct of any Department meeting shall be in accordance with Roberts Rules of Order. For situations deemed informal, Roberts Rules provides for 'suspension of the rules' to allow more free-flowing discussion. A parliamentarian may be appointed by the chair to adjudicate disputes about the rules.

c) Meetings (or portions thereof) involving promotion to full professor shall involve the full professors only. Tenured faculty members may attend and vote at all other meetings (cf. paragraph 1.1). Tenure-track assistant professors may attend and vote at every meeting, except those portions of meetings that involve a debate or vote on the hiring or promotion of tenure-track faculty or faculty at the rank of associate or full professor.

From time to time, the regular faculty, by a majority vote, may authorize the chair to invite post-docs or other persons to a meeting.

d) The quorum for any regular meeting not involving hiring or promotion shall be 1/3 of the faculty eligible to vote at the meeting. The quorum for meetings involving hiring or promotion shall be 1/2 of those eligible to vote.

7.2 Confidentiality

Department meetings, whether held exclusively by the tenured faculty or by a larger group of faculty, shall be deemed confidential (i.e., the substance may not be disclosed by any participant to anyone not invited to the meeting) unless either the body decides otherwise without dissent or the chair, at his/her discretion, deems that some disclosure is necessary as part of the performance of his/her duties.

7.3 Recusal

From time to time the department may consider issues with which one or more members of

the faculty have an actual, potential, or perceived conflict of interest. In this context, 'conflict of interest' refers to a financial or personal interest on the part of the faculty member apart from or in addition to a professional interest in the issue. In those cases, the faculty member may recuse himself/herself from the considerations or may be asked to do so by the department.

7.4 Voting and ranking procedures

7.4.1 For situations in which there is a simple two-option decision (e.g., yes or no) a motion presenting the options can be decided by a majority vote.

7.4.2 For decisions involving more than two options, such as a candidate ranking decision, the faculty will use a modified Borda method. In particular, this is the method to be used for ranking candidates for hiring. In this method, each voter assigns a weight to each of certain candidates or options. In the case of 3 options, a weight of 2 is given to the first choice and 1 to the second; in the case of four options, 3 to the first, 2 to the second, and 1 to the third; for more than four options, there will be a 4,3,2,1 assignment.

7.4.3 Proxy votes will be allowed at regular meetings on ranking decisions or hiring votes only under the following conditions: a) The proxy vote is transmitted to the chair before the meeting and known to no faculty member other than the voter and the chair. b) Two-thirds of those present allow such a vote. The faculty member requesting permission for a proxy can submit a statement making a case. At extraordinary meetings, only condition a) need be satisfied.

8. Emeritus professors

Emeritus professors are welcome to attend any meeting of the department faculty and participate in the discussion at the meeting. Emeritus professors may not vote at such meetings.

9. Adoption and amendment of by-laws

9.1 Procedure for adoption

At a meeting of the tenured faculty, the by-laws committee will present a motion recommending adoption of the by-laws, which motion can be debated and amended according to the usual Roberts Rules. The (possibly) amended by-laws will be deemed accepted if passed by a 3/4 majority of the tenured faculty (with those not present polled).

9.2 Procedure for amendment of adopted by-laws

9.2.1 Each proposed amendment will be distributed to the regular faculty.

9.2.2 After one week but not more than one month, there will be a meeting of the regular faculty to discuss and vote on a motion to adopt the amendment. This motion may be amended as per the usual Roberts Rules.

9.2.3 The amendment will become part of the by-laws if passed by a 3/4 majority of the tenured faculty (with those not present polled).