

ADMINISTRATIVE MEMORANDUM

SUBJECT Performance Review of Tenured Faculty

NUMBER 371

DATE June 24, 1997

Background

At its meeting on May 16, 1997, the Board of Governors adopted the recommendations in the report of the University of North Carolina Committee to Study Post-tenure Review. A copy of that report is attached. Post-tenure review is defined in the report as "a comprehensive, formal, periodic evaluation of cumulative faculty performance, the prime purpose of which is to ensure faculty development and to promote faculty vitality" (p.8).

The report asserts that review of the performance of tenured faculty in the University shall be "to support and encourage excellence among tenured faculty by:

1. recognizing and rewarding exemplary faculty performance,
2. providing for a clear plan and timetable for improvement of performance of faculty found deficient, and
3. for those whose performance remains deficient, providing for the imposition of appropriate sanctions, which may, in the most serious cases, include a recommendation for discharge" (p. 12).

The report also provides broad principles for carrying out such reviews but leaves room for each institution to develop the details of its own process within one year following the release of guidelines by General Administration. In keeping with Section 6.02 of The Code, the Board of Trustees of each constituent institution shall adopt the policies and regulations governing performance reviews of tenured faculty. Institutional policies and procedures will also be approved by the Board of Governors and should be included in all appropriate documents of the constituent institutions.

The report further specifies that "developing a system of post-tenure review will require re-examination of the effectiveness of current faculty personnel policies as well as planning and program review policies" (p.13). Initiation of these performance reviews in the University of North Carolina provides constituent institutions with an opportunity to create a policy that examines individual faculty contributions to departmental, school/college, and university goals as well as to the academic programs in which faculty teach. Thoughtful attention to the ways in which post-tenure review can promote faculty vitality across their careers will assure that such reviews lead to increased effectiveness within the university.

Guidelines to assist in formulating institutional policy concerning performance reviews of tenured faculty are as follows:

Guidelines

The following guidelines shall be observed in developing your institutional policies and procedures for post-tenure review:

- 1) Institutions shall develop policies and procedures for implementing post-tenure review. Institutions are encouraged to send a draft of their proposals for initial review by May 1, 1998. Proposals must be submitted no later than July 1, 1998. Implementation of approved policies will begin in the 1998-99 academic year.
- 2) Institutional policy statements shall show the relationship between the annual performance review of tenured faculty and the post-tenure review.
- 3) Institutional reviews shall provide for the evaluation of all aspects of the professional performance of faculty whose primary responsibilities are teaching, and/or research, and/or service.
- 4) Institutional policies shall assure that faculty performance will be examined relative to the mission of the institution, college, and program.
- 5) Institutional policies shall assure that each tenured faculty member undergoes a cumulative review no less frequently than every five years. (Note: a review undertaken to grant tenure or to decide on promotion qualifies as such a cumulative review.)
- 6) Institutional policies shall explicitly involve peers in the review process.
- 7) Institutional policies shall assure that there is written feedback to the faculty member being reviewed as well as a mechanism for faculty response to the evaluation.
- 8) Institutional policies shall be in compliance with the criteria and procedures for due process and for discharge or other disciplinary action established in Chapter VI of The Code of the University.
- 9) Institutional policies shall require individual development or career plans for all faculty receiving less than satisfactory ratings in the cumulative review. These plans must include specific steps designed to lead to improvement, a specified time line in which improvement is expected to occur, and a clear statement of consequences should improvement not occur within the designated time line.
- 10) As policies are developed, institutions shall consider resource implications of a meaningful performance review system, identifying in advance the sources of support for the process and its outcomes.


C. D. Spangler, Jr.

Attachment

Approved by the UNC Board of Governors
May 16, 1997

**POST-TENURE REVIEW
IN THE UNIVERSITY OF NORTH CAROLINA**

**A REPORT OF THE UNIVERSITY OF NORTH CAROLINA COMMITTEE
TO STUDY POST-TENURE REVIEW**

March 3, 1997

Members:

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Dr. Richard Ringeisen, ECU
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Dr. Stirling Haig, UNC-CH
Dr. Helen Shaw, UNCG
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Executive Summary

In response to President Spangler's call for a study of review of tenured faculty members, a committee representing constituent institutions was appointed in August, 1996. Committee members met over a six month period and conversed by phone and e-mail between meetings. Members also read widely, studying the subject from a national as well as local perspective. To gain broader perspective on the subject, several committee members attended sessions on post-tenure review at a national conference. In addition, the committee reviewed information supplied by the constituent institutions and consulted with a national authority on the subject, Dr. Christine Licata. The committee accepted the following definition of post-tenure review. *Post-tenure review is a comprehensive, formal, periodic evaluation of cumulative faculty performance, the prime purpose of which is to ensure faculty development and to promote faculty vitality.* The committee noted that the recommendations in the report are intended to strengthen the system of tenure and academic freedom while assuring on-going quality in the teaching, research, and service mission of the University of North Carolina. The committee made the following recommendations:

1. That the system of post-tenure review in the University of North Carolina shall incorporate the following principles:
 - A. The purpose of the review shall be to support and encourage excellence among tenured faculty by:
 - 1) recognizing and rewarding exemplary faculty performance,
 - 2) providing for a clear plan and timetable for improvement of performance of faculty found deficient, and
 - 3) for those whose performance remains deficient, providing for the imposition of appropriate sanctions, which may, in the most serious cases, include a recommendation for discharge.
 - B. The system of review will encompass and acknowledge the importance and significance of annual performance review while providing for comprehensive, periodic, cumulative review of the performance of all faculty whose primary professional responsibilities are teaching, research, and/or service.
 - C. The review procedure must provide for the evaluation over an appropriate period of time of all aspects of professional performance of faculty relative to the mission of the institution, college, and program. For each tenured faculty member,

- a cumulative review shall take place no less frequently than every five years. A review undertaken to grant tenure or to decide on promotion qualifies as such a cumulative review.
- D. There must be peer involvement in the review.
 - E. The review process must include written feedback to the faculty member being reviewed as well as a mechanism for faculty response to the evaluation.
 - F. Institutional policies for post-tenure review must not abrogate, in any way, the criteria and procedures for due process and for discharge or other disciplinary action established in Chapter VI of The Code of the University (August, 1988).
 - G. While constituent institutions may wish to consider individual development or career plans for all faculty as a part of the review system, each performance review system must require such a plan for each faculty member receiving less than satisfactory ratings in the cumulative review. These individual development or career plans must include specific steps designed to lead to improvement, a specified time line in which improvement is expected to occur, and a clear statement of consequences should improvement not occur within the designated time line.
 - H. In proposing its policies, each constituent institution must consider the resources necessary to support and facilitate a meaningful review system and its outcomes.
2. That within the broad principles approved in 1 above, each constituent institution will develop policies and procedures for review that will reflect the mission of the institution. Developing a system of post-tenure review will require re-examination of the effectiveness of current faculty personnel policies as well as planning and program review policies.
 3. That institutions will have one year following the release of guidelines by General Administration to develop their policies and procedures.
 4. That the policies and procedures developed by each constituent institution will be approved by the Board of Governors and included in appropriate documents of the constituent institutions.

* Note: "Because of the unique character and mission of the North Carolina School of the Arts, the requirement that the institution adopt tenure policies will be satisfied at that institution based on renewable contracts---"(p. 19, The Code). Therefore, the recommendations in this report are not applicable to the North Carolina School of the Arts.

Background

In July, 1996 President C. D. Spangler, Jr. informed the Board of Governors that he had asked Vice President Carroll to "work with the University-wide Faculty Assembly and appropriate institutional representatives to examine the purpose, policies, and procedures for post-tenure review of faculty performance to be sure that they are explicit and that they are followed in all departments, colleges, and schools within the University." He called for a "serious look at how, and when, and for what purpose we review the performance of faculty members after they receive tenure." He asked that a report with findings and recommendations be submitted to him by May 1, 1997.

In August, the President sent a letter to the constituent institutions requesting that the chancellors nominate a member of the academic affairs staff to serve on the committee, that they complete a survey of current evaluation processes for tenured faculty members, and that they initiate a discussion that would lead to the development of a list of principal features of a meaningful system of post-tenure review. The President emphasized that "the list should be the result of a formal process of soliciting the views of the faculty."

After receiving its charge from Vice President Carroll in September, the committee began extensive reading on the subject. In addition, in cooperation with faculty leaders and other administrators on their respective campuses, members gathered information from each campus on evaluation practices and campus-based statements of principles. Faculty were provided opportunity for input through such venues as interactions with deans and department heads, faculty senates and councils, public meetings, and asynchronous electronic discussions. The committee reviewed the results of the surveys of current evaluation practices and examined the statements of principles from the constituent institutions. Members had the benefit of consultation from Dr. Christine Licata, the nation's leading authority on post-tenure review. Five members of the committee also attended a national conference on faculty roles and rewards sponsored by the American Association of Higher Education and reported on major sessions to the full committee.

Introduction

Tenure was defined by the American Association of University Professors in its 1940 “Statement of Principles” 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 the society” (Van Alstyne, 1993, pp. 407-409). According to a more recent publication, tenure is “a statement of formal assurance that thereafter the individual's professional security and academic freedom will not be placed in question without the observance of full academic due process.” (Finkin, 1996, pp. 4).

The Code of the University of North Carolina affirms that academic tenure exists “to promote and protect the academic freedom of its faculty...”. In its 1993 report entitled Tenure and Teaching in the University of North Carolina, the Board of Governors reaffirmed the value of tenure, stating, “The purpose of tenure is to assure faculty members academic freedom and protection against improper abridgments of the freedom of inquiry through teaching, scholarship, research, and creative activities; and to protect the right to publish or otherwise present scholarly work publicly without the threat of political or other sources of confining orthodoxies” (pp. ii). The report also stated that “the quality of the University depends ultimately on the quality of its faculty,” and noted that “historically, tenure has been a common feature of all major universities and colleges in the United States and crucial to the attraction and retention of outstanding faculty members” (p. ii). In addition, the report stressed, “How that system (tenure) operates, the policies and procedures followed, and the standards applied will determine, in large measure, the quality of the faculty and of the University” (p. ii). The recommendations in this report are intended to strengthen the system of tenure and protect the concept of academic freedom

while assuring continuous improvement in the quality of the faculty as they carry out the institutional mission of teaching, research and service.

Traditional Evaluations of Faculty

As long ago as 1982, authorities agreed that tenure and rigorous evaluation are not incompatible concepts (Chait & Ford, 1982). Moreover, about that same time, the National Commission on Higher Education Issues recommended that campus administrators work closely with faculty to develop systems of evaluation for tenured faculty (Academe, 1983).

Evaluation of faculty members is a routine part of academic life. Faculty members typically are products of rigorous terminal degree programs and have undergone multiple evaluations before they receive their degrees. Faculty applying for positions also undergo thorough review and evaluation for initial appointment. As probationary members of the faculty, new professors undergo systematic reviews for reappointment, and a multi-year cumulative review (usually over a six-year period) to determine if their work to date is acceptable and if they show sufficient promise in teaching, research, and service to deserve continuing affiliation with their institutions. Only those faculty whose performance is found to meet these high standards and whose abilities fit the needs of the institution become tenured. In reviewing the tenuring process, one report has noted that "the striking thing about the university, compared to a typical corporation, is not the number of college graduates employed there with secure jobs but the number of high-level employees who don't expect to be allowed to stay." (McPherson & Winston, 1996, p. 101). Once achieved, tenure neither protects faculty from further evaluation nor obviates the need for continuing productivity and competence.

Many other forms of review are also an accepted part of academic life. For example, the scholarly work of faculty is reviewed by peers prior to publication and/or presentation, grant proposals receive rigorous reviews from panels of experts, artistic works are reviewed before being accepted for exhibit or concert performances, teaching is evaluated by both students and peers. Faculty members are also reviewed as a part of

programmatic and institutional accreditation studies. Indeed, few other types of work require such constant review and assessment of worth and performance as does the work of academicians.

Tenured faculty members in North Carolina also experience annual reviews of their productivity in all aspects of their work. This process is well accepted and has been regarded by many institutions as a form of post-tenure review. However, annual reviews are generally carried out on all faculty including probationary and fixed term, as well as tenured faculty, and may have the limitation of reflecting only the accomplishments of the immediately preceding academic year while full post-tenure reviews are carried out only on tenured faculty and reflect evaluation of a body of work over a period of several years. The results of annual reviews are used in making decisions about salary increases, in providing information concerning nominations for awards, and may be a component of the record used for making tenure, reappointment, and promotion decisions. Results also become a part of the permanent record of the faculty member. Less often, the results of annual reviews may be used to assess an individual's progress on a previously established professional development plan or may become a part of a multi-year review documenting continuous progress across a faculty member's career. The results of post-tenure reviews, in contrast to annual reviews, are generally used to evaluate a faculty member's contributions as they help promote the goals of the department and institution and to provide information to each faculty member regarding his/her career development over time.

Results of Survey of Evaluation Practices in the University of North Carolina

In order to establish current practices for evaluating tenured faculty performance within the University of North Carolina, a survey was sent to each constituent institution in August, 1996. Results of the survey appear in Table 1.

Responses were received from 359 departments in 15 constituent institutions. Over 95 percent of the responding departments indicated that evaluation of tenured faculty occurs for the purposes of promotion and consideration for merit increases in salary. Eighty percent of the respondents reported that such evaluation also occurs to assess progress on professional development or growth plans and to evaluate a tenured faculty member's contribution to departmental, school, or college plans. Seventy-nine percent reported that tenured faculty are evaluated regularly as a check on their productivity and 73 percent indicated that such evaluation occurs as a follow-up when problems in performance have been identified. An additional five percent of the responding departments indicated that other types of evaluation of tenured faculty are also being carried out.

The frequency with which tenured faculty are evaluated varies according to the purpose of the evaluation. For example, 94 percent of the responding departments indicated that evaluation of faculty for merit increases is carried out annually, while evaluation for the purpose of promotion is carried out on a variable schedule by the majority of the responding departments. The variability in the schedule is largely dependent upon the level of the promotion being sought.

Most of the current evaluations are mandatory and initiated by administrators. Department heads are most likely to conduct evaluations, particularly those designed to make recommendations concerning merit increases and promotion. Peers tend to be more involved in promotional decisions than in any of the other types of evaluation of tenured faculty members.

In every type of evaluation, results are most frequently communicated to faculty members in a conference with the department head. The second most frequent method of communication is by written report from the appropriate administrator to faculty members being evaluated.

The most common consequence of a negative review is ineligibility for merit increases (indicated by 61% of departments responding) followed by the requirement of

drawing up a development plan (indicated by 42% of respondents). It should be noted, however, that approximately one in every four responding departments indicated that negative reviews could lead to another, more detailed, review or to a formal disciplinary process that could lead to sanctions or dismissal.

Positive evaluations, in contrast, are most frequently used to award merit increases but may also be used to nominate faculty for awards or as a basis for providing additional support to maintain or increase their productivity.

In summary, the survey concerning current evaluation processes of tenured faculty members shows that a great deal of post-tenure review is currently being done. Tenured faculty are reviewed annually in every institution. Most institutions use the information from the annual review for purposes of awarding merit pay while some use positive reviews as a basis for making nominations for awards and/or for awarding additional support to the faculty member. In addition, institutions currently use the results to help faculty become more productive or as a trigger for a more detailed review or as a basis for beginning formal disciplinary reviews.

Post-tenure Review

Although faculty undergo evaluation for many purposes, it is nevertheless true that systematic, regular post-tenure review of cumulative faculty performance across a number of years is not universally required by universities. Recent studies show evidence that such reviews are being widely considered nationally. A study of 680 public and private institutions showed that 61 percent of those responding reported that they had post-tenure review procedures in place, while another 9 percent reported that they had a policy under development (Harris, 1996). A second inquiry found that post-tenure review is either in the discussion or implementation stage in public institutions in 28 states (Licata, 1996).

The conflicting figures found in these studies probably reflect the fact that there is not yet a universally accepted definition of what is meant by post-tenure review. Because the subject has received much attention recently, new definitions are being proposed. For

the purpose of this report, the committee adapted a definition proposed by Joseph C. Morreale (1996), as follows: *post-tenure review is a comprehensive, formal, periodic evaluation of cumulative faculty performance, the prime purpose of which is to ensure faculty development and to promote faculty vitality.*

There are two major forms of post-tenure review: formative and summative. Formative reviews are carried out on all faculty members, usually on a rotating basis. They are considered developmental in nature and generally lead to no formal, immediate personnel actions. Their goal is to provide information to the faculty member concerning his/her cumulative development as it fits with departmental, school/college and university goals, and to set direction for the next specified time period preceding the next review. Summative reviews are used for a specific purpose such as promotion, merit awards, etc. Work improvement plans are generally created if a faculty member's summative review is less than satisfactory. Although these two types of reviews appear to be contradictory in nature, the committee proposes that it is possible to devise a system of post-tenure review that incorporates the strengths of both.

Results of Request for Principal Features of a Meaningful System of Post-tenure Review

Fifteen institutions responded to the request for a list of principal features of a meaningful system of post-tenure review. Each institution reported that the set of principles it was submitting had resulted from discussions involving faculty. Some sets of principles were formally adopted by faculty senates and/or other representative faculty bodies. The committee reviewed the principle statements and grouped them under seven headings, including purposes for post-tenure review, the process, carrying out the process, details of the review, schedule for the review, outcomes of review, and other.

The most frequently stated purpose for carrying out post-tenure review was to foster faculty development, improve faculty performance, and ensure an optimum learning environment for students. A second purpose mentioned by the institutions was to recognize, encourage and reward professional growth. In addition, institutions suggested

that the focus should be broad, including improvement in teaching, in research efforts and in service to the university and the community.

Issues concerning the process that were endorsed by more than one university included the following:

- The process should be fair and consistent with the The Code of the University of North Carolina.
- The process should contain clearly stated criteria and define minimal standards of performance, including definitions of expectations in teaching, research and service.
- The process must affirm the concepts of tenure and academic freedom and should incorporate and complement existing faculty evaluation procedures.
- The process should be sufficiently flexible to recognize the unique and various ways in which units within institutions contribute to the institutional mission.
- The process should respect and recognize disciplinary differences in pedagogy as well as differences in the relative weight of teaching, research, and service which faculty undertake at different times in their careers.
- The process should include the same protections and grievance procedures as faculty now experience.

Although institutions were not specifically asked to make suggestions with regard to carrying out the tenure review process at this time, some respondents did include procedural matters, as noted below:

- Faculty should be extensively involved in developing, monitoring, and/or modifying the institutional processes for post-tenure review.
- The review should be done by more than one person, and peers, as well as department chairs, should be involved in carrying out the process.

Report on Post-tenure Review

- The review should be conducted in a positive, constructive, and supportive atmosphere, with safeguards present to ensure fairness, and should be based on multiple measures. Some of the measures suggested included peer evaluations, evidence of students' accomplishments, portfolios, student evaluations, chair evaluations, classroom evaluations and evaluations of course material.
- The process should result in written evaluations and should be tied to personal development plans that speak directly to goals in teaching, in research, and in service.

In addressing the nature of the review, some institutions included more details than did others. Points included by one or more institutions included the following:

- Following a comprehensive review, time must be given to improve.
- The time given to improve must differ according to the seriousness of the deficiency.
- The review process must specify appeal procedures and must include due process.
- The process must contain procedures for review of any performance evaluation that faculty members contest.
- The process must specify consequences for refusal to participate.

With regard to outcomes of the review, it was clear that responding institutions realized that action based on the results should occur if the review were to be meaningful. Institutions emphasized that:

- Consequences of the review process to be clearly spelled out in writing.
- Negative reviews should result in a plan for improvement that is agreed upon by the faculty member and the university and contains milestones for improvement and consequences for non-compliance.

- Raises and rewards should be negatively impacted by below average reviews and positively impacted by excellent reviews.
- Significant revision of a faculty member's workload might be a consequence of either a positive or negative review.
- Revocation of tenure and/or procedures for application of serious sanctions leading to dismissal proceedings might be the consequence in cases where remediation is not achieved.
- A meaningful system of post-tenure review will require resources both to support the development plans of faculty attempting to respond constructively to deficiencies and to reward faculty whose reviews result in exemplary ratings.

The statements of principle differed significantly with regard to the schedule for the review. Some institutions stated that the current annual review should be adequate unless it identifies specific deficiencies, in which case a more detailed review would be called for. Suggestions concerning time between reviews ranged from 5 to 7 years. Other suggestions from the institutions included the following:

- The Board of Governors and each institution should periodically review the entire system of post-tenure review to assure that it is producing results.
- Review systems should allow for faculty members to request reviews between regularly scheduled reviews.
- Appropriate administrators should meet with faculty members prior to the beginning of the review to detail the expectations of the university.
- Each university should, as it creates its post-tenure review document, reaffirm its commitment to the principles of tenure and academic freedom as stated in The Code of the University of North Carolina.

Recommendations

The University of North Carolina Committee to Study Post-tenure Review recommends the following:

1. That the system of post-tenure review in the University of North Carolina shall incorporate the following principles:
 - A. The purpose of the review shall be to support and encourage excellence among tenured faculty by:
 - 1) recognizing and rewarding exemplary faculty performance,
 - 2) providing for a clear plan and timetable for improvement of performance of faculty found deficient, and
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 - D. There must be peer involvement in the review.
 - E. The review process must include written feedback to the faculty member being reviewed as well as a mechanism for faculty response to the evaluation.
 - F. Institutional policies for post-tenure review must not abrogate, in any way, the criteria and procedures for due process and for discharge or other disciplinary action established in Chapter VI The Code of the University.

- G. While constituent institutions may wish to consider individual development or career plans for all faculty as a part of the review system, each performance review system must require such a plan for each faculty member receiving less than satisfactory ratings in the cumulative review. These individual development or career plans must include specific steps designed to lead to improvement, a specified time line in which improvement is expected to occur, and a clear statement of consequences should improvement not occur within the designated time line.
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 3. That institutions will have one year following the release of guidelines by General Administration to develop their policies and procedures.
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* Note: "Because of the unique character and mission of the North Carolina School of the Arts, the requirement that the institution adopt tenure policies will be satisfied at that institution based on renewable contracts..."(p. 19, The Code). Therefore, the recommendations in this report are not applicable to the North Carolina School of the Arts.

References

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