Cathy A. Trower

The New Pathways Project was initiated by the American Association for Higher Education in 1995 to reframe the debate about tenure within a broader examination of academic careers. This article describes the activities of the Project, its principal areas of exploration, and the Working Papers that have to date been published under its auspices.

New Pathways:

Faculty Careers and Employment in the 21st Century

The Background

The New Pathways project was initiated in 1995 by the American Association for Higher Education (AAHE) against a background of profound changes in American higher education and a mounting set of questions about faculty career patterns In particular, tenure was about to surface as a major public concern, with fears that this issue would further polarize college and university communities already seriously frayed. The project was envisioned by Russell Edgerton, then President of the AAHE, as a means to deepen the emerging national discussion about tenure and cast it in broader terms through a combination of policy studies, working papers, and special forums. At the time, Edgerton was quoted in the *Chronicle of Higher Education* (April 31, 1995, p. A17): "Admittedly there is a bit of heresy in what we're about. We thought it was unhealthy that outside the academy, people were raising questions about tenure, yet inside the academy tenure was a bit

like sex in the Victorian age—untouchable."

The project was designed to reframe the debate, indeed, to move well beyond the tradition of arguing the pros and cons of tenure. The discussions that AAHE and the project team hoped to generate would answer two major questions:

- What kind of academic careers should the 21st century professoriate be able to pursue? and
- What employment arrangements are needed to undergird these careers?

The Data

According to the most recent National Study of Postsecondary Faculty (Kirshtein, et al., 1996), two-thirds of the 900,000 faculty employed in the fall of 1992 were full-time and one-third were part-time, a percentage that has doubled in just twenty years. Only 3 percent of part-time faculty are tenured, compared with 53 percent of full-time faculty. Finkelstein, Seal, and Schuster (in press) define the "new cohort" of faculty members as those with seven years or fewer of full-time teaching. Of the 161,000 in this group, 33 percent are not on the tenure track compared with 16 percent of the senior cohort. Chait and Rice (1997) point out that "[i]n short, the 'traditional' faculty career that starts with a full-time, tenure-track appointment can hardly be considered typical any longer. The new cohort, where far fewer faculty are on tenure-track appointments, includes considerably more women (40.7 percent v. 27.9 percent) and more racial minorities (16.6 percent v. 11 percent) than the senior cohort" (pp. 1-2).

In addition to demographic changes among the faculty, there have been vast changes in the number and type of institutions. According to Snyder (1993), there were 951 institutions in 1915 (when the AAUP was established), 1,708 in 1940 (when the AAUP Statement on Academic Freedom and Tenure was written), and more than 3,700 today. Enrollment has grown from 404,000 in 1915, to 1,494,000 in 1940, to more than 14,157,000 today. Academe employed 36,480 professional men and women in the early 20th century; now it employs over 1.5 million professionals. In 1915, there were no two-year colleges; currently, there are 1,473.

The Context

The collegiate landscape has changed considerably since tenure's inception. Indeed, "the institution of academic tenure was created for a different kind of faculty, for a different time, and under different conditions" (Chait and Rice, 1997, p. 2). The new context is one of

- increased demand, reduced resources;
- fewer stable sources of public support and more intense market pressures;
- a changed work force in all sectors, marked by downsizing and restructuring;
- calls for greater accountability; and
- new technology.

In a recent opinion piece in the *Chronicle of Higher Education* (February 28, 1997, p. A60), Peter Magrath infers from these changes that:

> The issue of tenure must be viewed in this broader context of public unrest about higher education. Studies...show that tenure, fairly or unfairly, invokes disdain from civic and business leaders because they believe that it protects professors from the accountability and productivity required of other workers. Tenure must be carefully scrutinized now by the academy, so that narrow political interests do not impose on us destructive changes. Substantial modifications are in order....The demise of tenure would not be the death knell of the American academy.

Also in the *Chronicle* (January 31, 1997, p. A48), Arthur Levine stated that "American higher education has become a mature industry. Government is asking questions of colleges and universities that have never been asked before." These questions include those of productivity, efficiency, and effectiveness. Levine argues that the pressures facing American higher education are "likely to be permanent" and that "higher education is doing a miserable job of answering some of the basic questions...."

The Project

The New Pathways Project is co-directed by R. Eugene Rice and Richard Chait. From its inception, it has been aimed at creating a new dialogue about faculty careers in which the issue of tenure is "safe" for discussion. In his First

Year Interim Report to the April 1996 National Meeting of AAHE, Rice stated that:

"[i]n reframing the issue of tenure and placing it within a larger context, a new, national dialog is required, one that moves beyond the polarized debate [for or against tenure]. Individual institutions, or even single state systems, will find it difficult to "go it alone" -- to change faculty employment arrangements in a competitive marketplace; the dialog needs to be *national*."

A related project goal was to encourage "ownership" of the tenure issue by higher education. The original Project Proposal explained that

"[n]o one really knows what external political scenarios will unfold with respect to tenure. State governments may examine the issue and then retreat, or by referendum or legislative action, state governments might abolish tenure altogether. Whatever the external scenario, higher education will be much better served if it enters and shapes the debate, rather than simply respond to the initiatives of others. There are usually good reasons for doing unto ourselves before others do unto us. With an issue as inflammatory as tenure, this is especially true."

Realizing that it would be difficult for single institutions or a multicampus system to overhaul tenure systems, but also that campus pressures for change vary by sector, a goal of New Pathways was to open a national dialogue that would involve the entire academic community.

To this end, the project has sponsored three distinct kinds of activities over the last two years:

- a sustained and visible national dialogue about faculty careers and employment arrangements by making use of national meetings and publications, as well as the national meetings and publications of other associations;
- an ongoing New Pathways Forum, bringing together analysts and reflective practitioners who are doing serious work on various aspects of the New Pathways agenda; and
- its own investigations of a selected number of critical issues.

In addition to pursuing the Project's primary objective of reframing the tenure debate, these activities also have a number of other goals: expanding choice, balancing individual rights and responsibilities, and strengthening community.

Expanding Choice

A goal of the project is to create more legitimate options for individuals

and institutions; quite simply, to expand choice beyond the current one-size-fits-all approach to academic employment. The traditional tenure system imposes several limitations on faculty members and institutions including:

- a single model of academic excellence;
- a three-rung career ladder that stretches over a lifetime of professional work; and
- a limited range of either/or contractual arrangements for employment, especially the bifurcation of tenure and nontenure tracks.

Thus, higher education deprives itself of the full range and use of available talent and limits the faculty's capacity to utilize their abilities over the course of their careers.

Balancing Individual Rights and Responsibilities

The project also aims to further balance the focus of tenure discussions on the rights and privileges guaranteed to individual faculty members, especially academic freedom, due process, and employment security, with the responsibilities and obligations of tenure. Too often, the discussion involves only the former, neglecting the latter. Ideas such as tying tenure to an institutional mission, post-tenure review, and academic freedom for all faculty members, not just those with tenure, go far toward achieving the balance between faculty rights and responsibilities.

Strengthening Community

The New Pathways Project also hopes to strengthen community among members of the academic work force across rank and employment status. The academic community has been described variously as an increasingly fragmented and hollowed collegiality, as a two-tiered system of "haves" with tenure and "have-nots" without tenure, and as experiencing a slow deterioration in conditions leading to a decline in faculty morale. Rice reports that:

"In the structured interviews of recently appointed faculty being conducted as part of the "Heeding New Voices" inquiry, the absence of a sense of community in the academic work setting is one of their primary concerns. New faculty are disturbed by the highly competitive environment, the loneliness of the faculty career, and the sense of isolation they feel from colleagues—especially senior faculty" (Rice, 1996, p. 5).

Initial Findings and Implications

Through interviews with faculty, administrators, trustees, and legislators, and the writing and dissemination of working papers, the Project has begun to identify key areas of concern, open the dialogue, and suggest and explore attractive solutions to problems and issues raised. In particular, it is sponsoring a number of research efforts and policy studies, resulting in working papers. The Project hopes that as these become widely available, they will stimulate and inform debate both on individual campuses and at the national level. The following are the principal lines of work.

The New American Scholar

The focus of the Project is the individual faculty member. Appropriately, one of its first activities has been an exploration of the working environment by Rice. He finds shifts taking place in the academic workplace that are creating a new and exciting setting. The traditional focus on teaching is shifting to a focus on learning, the emphasis on professional autonomy to increased faculty involvement in building the institution, individualistic to collaborative ways of working, career dependence to career resilience, and the ivory tower to a greater responsibility for public life. But the academic workplace is also one where young scholars are finding themselves caught between the time-honored, discipline-based, research and publication-oriented tradition of a faculty career and the demands of the new reality. Junior faculty desire careers with flexibility and choice.

A new and ever more pluralistic academy begs the questions: given that we tout diversity within and among institutions, why perpetuate a single paradigm for faculty careers? In a profession that prizes autonomy, why not afford professors and universities the latitude to create mutually beneficial terms and conditions of employment that do not conform to convention? Rice describes and discusses these matters in some detail in one of the first Project Working Papers, *Making a Place for the New American Scholar* (Rice, 1996).

Restructuring Faculty Careers

Many institutions are doing exactly what Rice' s paper proposes—restructuring faculty careers, creating a variety of employment options, revamp-

ing traditional tenure systems.

However, many of those institutions were making changes to traditional tenure systems with very little hard data at hand. Employment options represent one area of the academy where anecdotes abound but data are scarce. Because of this, the Project gathered information from 280 institutions in order to build an archive of current tenure practices and trends. Twenty-nine percent of respondents reported post-tenure review processes, 24 percent offered long-term nontenure-track appointments to faculty, 16 percent had stop-the-tenure-clock provisions for probationary faculty members, 15 percent had no tenure system; 5 percent reported changing the probationary period; and 5 percent imposed a tenure quota. Thirty-one percent of the respondents reported no changes to traditional tenure policies.

A narrative summary of the information received from the responding institutions is contained in the Working Paper *Tenure Snapshot* (Trower, 1996a). This is supplemented by another Working Paper, *An Inventory of Faculty Employment Practices* (Trower, 1996b).

Financial Exigency

A frequent source of contention between faculty members and their institution is the definition of financial exigency. Fuzzy yardsticks contribute to uncertainty and inconsistency, suspicions of inequity and politics, and delay in responding to financial distress (p. 3). As part of the Project, Kent Chabotar and James Honan have grappled with the meaning of the terms financial emergency or exigency when used as grounds to legitimate the dismissal of tenured faculty. In their paper, *New Yardsticks to Measure Financial Distress,* (1996), they suggest the general principles that should underlie the criteria and standards of financial exigency. They analyze specific yardsticks within three categories of indicators of financial condition (operating results, net worth, and bond ratings), suggest alternatives to traditional accounting methods in order to strengthen the comprehensiveness and credibility of alternative yardsticks, and summarize the benefits and drawbacks of various yardsticks. Chabotar and Honan also advance a hypothetical definition of exigency that exemplifies the sort of clarity and specificity that the authors believe institutions need in order to dismiss tenured faculty during a financial crisis They suggest that financial exigency be defined by the existence of two or more of the following

conditions:

- a downgrade of the institute's bond rating to minimum investment grade in a given year;
- an operating deficit that is equivalent to 3 percent or more and greater than the previous years
- three or more years of decline in FTE enrollment and
- real decline in the market value of the endowment, adjusted for inflation, for three or more years (op.cit., p. 29)

Tenure and Academic Freedom

The most common argument for the maintenance of tenure is the need to safeguard academic freedom, as expressed recently in the *Chronicle of Higher Education* by James Perley (April 4, 1997, p. A48). Any debate about tenure must explore whether it is possible to uncouple the two, and whether tenure is really necessary to protect academic freedom. Peter Byrne has been examining this issue under the auspices of the Project, exploring how to protect academic freedom not only of full time tenure-track faculty, but also that of the junior faculty and the growing number of part-timers and other nontenure track faculty who currently do not have tenure.

In a newly published Working Paper, *Academic Freedom Without Tenure?*, Byrne considers those minimum elements necessary to protect academic freedom in the absence of tenure, examines whether the proposed model for handling grievances fully protects academic freedom, assesses progress made on this issue, and questions whether the procedures proposed in this paper protect academic freedom more efficiently than a tenure system.

Byrne's proposal would provide due process for all faculty members, regardless of tenure status, in situations of alleged academic freedom violations by stipulating that:

- there be a peer-dominated internal review with a certain level of protec tion accorded panelists
- the burden of proof shift easily from the faculty member to the institution after the faculty member establishes a prima facie case;
- there be an oral hearing; and
- there be the possibility of further arbitration by an external panel of aca demic experts if necessary.

While Byrne does not suggest that hiring faculty on long-term contracts and providing academic freedom through policy statements is better than tenure, he believes that his proposal focuses greater attention on the substantive meaning of academic freedom and provides more effective protection of academic freedom for nontenured faculty members. Contracts, as opposed to tenure, permit institutions greater freedom to restructure and to dismiss mediocre faculty. However, Byrne believes that there are greater administrative costs to his proposed system and cautions that each institution must decide its primary values, what is feasible, and whether or not the benefits of contracts outweigh the costs.

Alternatives to Tenure

Not everyone wants tenure! The second-most frequent trend noted in the institutional survey of tenure practices mentioned earlier is the rapid increase in nontenurable appointments even among full-time faculty. Judith Gappa undertook a further study of this trend and found that fully 26 percent of full-time faculty are currently employed in such positions. She discovered that most are satisfied with their employment and see it as an attractive alternative to the traditional tenure system.

In her Working Paper, *Off the Tenure Track: Six Working Models for Full-Time, Nontenurable Appointments* (1996), Gappa explores six instances of full-time nontenurable appointments: teaching appointments, professors of practice, research professors, distinguished senior lecturers, limited tenure situations, and integrated tenurable and nontenurable tracks in medical schools. She explores these models across institutional culture, history, status differentials, integration of faculty members, employment security, and career development.

By presenting a wide array of possible employment practices that do not include tenure yet can lead to faculty satisfaction, Gappa demonstrates that tenure is only one among a series of paths available to faculty. Further, she concludes that opening up the academic career may lead to greater focus on individual contribution to the institution, improved collegial relationships among all faculty, more attention to the overall faculty career, enhanced productivity, and careers that are more appealing to a wider variety of professionals.

Post-tenure Review

Post-tenure review has rapidly become a prevalent feature of academic life on many campuses. Christine Licata and Joseph Morreale have examined this practice for the Project, and summarized their findings in a Working Paper *Post-Tenure Review: Policies, Practices, Precautions* (1997). The paper presents a brief history of the spread of post-tenure review, provides a definition of summative and formative approaches to it, discusses the driving forces behind it, details five post-tenure review options, offers guidelines and principles for policy development, highlights the components common to most post-tenure review programs, and delineates benefits, costs, strategies, and precautions.

The authors contend that academe will come under increasing scrutiny from legislatures, policymakers, parents, students, and the general public. If tenure is to remain intact, they argue, these constituencies must be assured that significant review of academic performance occurs. They propose that post-tenure review should systematically and comprehensively assess performance, involve peers in a significant way, assist individual faculty members in establishing long-term goals within the institutional context and mission, and enable institutions to more easily remove chronic nonperformers. Profiles of nine institutions are provided at the end of the report.

Contracts

While contracts do not solve tenure's "problems," research by Richard Chait and myself indicates that many faculty choose a contract option where it is available, and many others are satisfied on campuses without tenure systems. We found that, in general, faculty at campuses without tenure systems and at hybrid institutions (where faculty may choose between tenure and nontenure track) felt that contract systems blurred unhealthy and unjustified distinctions between senior and junior faculty. This blurring of status differentials contribute to a peer evaluation process where all may participate equally, and to a sense of community and contentment on campus.

Four criticisms of tenure were sounded repeatedly:

- the tenure process debilitates junior faculty
- tenure imposes rigidity
- tenure review processes are ambiguous and duplicitous, and
- they invite unhealthy intramural competition

On the other hand, faculty expressed four concerns with contracts:

- the contract system lacks legitimacy in academe
- a change in administration might jeopardize some faculty positions (em ployment security is less than with tenure)
- periodic evaluation under contract systems is extensive and enormously labor- intensive, and
- review by untenured peers may lead to less than honest evaluations

We concluded that term contracts are not the solution to tenure problems; academic freedom and economic security are provided under term contracts; term contract systems place a premium on the trustworthiness of administrators; evaluations under term contracts strongly resemble posttenure reviews; term contracts provide some insurance against fiscal crisis; most junior faculty on contracts or nontenure appointments at hybrids prefer these options to tenure; and the preponderance of faculty on contracts find academic life to be agreeable. We discuss our findings and conclusions in a Working Paper, *Where Tenure Does Not Reign: Campuses with Contract Systems* (1997).

What to do Without Tenure?

David Breneman has explored the premise that tenure is, if not a doomed institution, one that is likely to play a diminishing role in the future. Market forces, a widening resource gap, and a diverse group of new academics are causing many academic leaders to rethink employment arrangements and to offer an array of options. In a Working Paper, *Alternatives to Tenure for the Next Generation of Academics* (in press), Breneman presents tenure through the eyes of young academics by discussing the negative economic implications of tenure—that it represses salaries and requires an up-or-out decision that weighs heavily on probationary faculty. As these young professionals examine the range of career options available to them, the risk of an adverse tenure decision and relatively low salaries may lead them away from academia and into other areas. The author asks, might a college or university be willing to offer a young scholar a higher wage for accepting a nontenure track appointment, and might some young scholars accept such an offer?

Recognizing that tenure may be necessary if an individual is to be induced

to devote herself completely to a specialized career with few, if any, market alternatives, Breneman notes that nontenure tracks have been adopted primarily in the professional schools, and points out that labor market differences should not be ignored, nor should blanket policies be applied across the board. When designing nontenure employment options, institutions are well-advised to anticipate the concerns of faculty, realize that tenure is appropriate for some and contracts for others, and to design policies that allow nontenure track faculty an equal opportunity to participate in all aspects of campus life as well as equality in salary and benefits.

Breneman makes three important points for officials considering alternatives to tenure:

- they should acknowledge that faculty who forego tenure are conveying something of value to the institution;
- faculty should have an initial appointment of duration equal to that of entering tenure-track appointments; and
- faculty hired on contracts should have all the rights and privileges ac corded tenure-track peers.

After the paper considers how large a wage premium to attract scholars away from the tenure-track might be, it concludes with an analysis of problems with contracts (the import and subsequent rigor of a review for tenure vs. a 5-year review; the peer review issue of logrolling or back-scratching; issues of power, equity, and income differentials between tenured and contract faculty), followed by a brief discussion of the important differences between elite institutions and others on the issue of offering nontenure appointments.

Conclusion

The New Pathways project team is convinced, based on the work to date, that there are simply too many pressures—internal and external, political and economic, professional and personal, institutional and individual—to abide business as usual. Circumstances may not demand a revolution, but conditions surely require change (Chait and Rice, 1997, p. 8). Over the next several years, the Project will continue to explore various pathways for faculty careers as well as new or modified employment arrangements. Plans include a sustained program of action-oriented research that would enlist the input of campus communities and public officials and involve direct contact with insti-

tutions at the various stages of policy discussion, design, implementation, and assessment.

Suggested Readings

Bowen, H. R., and Jack H. Schuster. *American Professors: A National Resource Imperiled.* New York: Oxford University Press. 1986.

Breneman, David W. *Alternatives to Tenure for the Next Generation of Academics.* Washington, DC: American Association for Higher Education. 1997.

Byrne, J. Peter. *Academic Freedom Without Tenure?* Washington, DC: American Association for Higher Education. 1997.

Chabotar, Kent John, and James P. Honan. *New Yardsticks to Measure Financial Distress.* Washington, DC: American Association for Higher Education. 1996.

Chait, Richard, and Cathy A. Trower. *Where Tenure Does Not Reign: Campuses With Contract Systems.* Washington, DC: American Association for Higher Education. 1997.

Chait, Richard, and R. Eugene Rice. *New Pathways: Faculty Careers and Employment in the 21st Century. A Preliminary Statement for Consideration by Colleagues.* Washington, DC: American Association for Higher Education. 1997.

Edgerton, Russell. Letter to AAHE Colleagues. Washington, DC.: American Association for Higher Education. March 7, 1997.

Finkelstein, Martin J., Robert K. Seal, and Jack H. Schuster. *The New Academic Generation: A Profession In Transition.* Baltimore, MD: Johns Hopkins University Press. (in press).

Gappa, Judith M. *Off the Tenure Track: Six Models for Full-Time, Nontenurable Appointments.* Washington, DC: American Association for Higher Education. 1996.

Gappa, Judith M., and David Leslie. *The Invisible Faculty.* San Francisco, CA: Jossey-Bass. 1993.

Kirshtein, Rita J., Nancy Matheson, Zhongren Jing, and Linda J. Zimbler. "Institutional Policies and Practices Regarding Faculty in Higher Education." *Statistical Analysis Report, 1993, National Study of Postsecondary Faculty.* Washington, DC: U.S. Department of Education, Office of Educational Re-

search and Improvement, National Center for Education Statistics (NCES 97-080). 1996.

Licata, Christine M., and Morreale, Joseph C. *Post-Tenure Review: Policies, Practices, Precautions*. Washington, DC: American Association for Higher Education. 1997.

Rice, R. Eugene. *Making a Place for the New American Scholar*. Washington, DC: American Association of Higher Education. 1996.

Snyder, Thomas D. *120 Years of American Education: A Statistical Portrait*. Washington, DC: National Center for Education Statistics. (NCES 93-442). January, 1993.

Trower, Cathy A. *An Inventory of Faculty Employment Policies*. Washington, DC: American Association for Higher Education. 1996b.

Trower, Cathy A. *Tenure Snapshot*. Washington, DC: American Association for Higher Education. 1996a.