

UCSC tenure denial invalid, panel rules

By JOHN McNICHOLAS
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SANTA CRUZ — When UCSC Chancellor Robert Sinsheimer denied tenure for Professor Nancy Shaw, politics entered into the decision and he violated university procedure, a UCSC faculty committee has ruled.

The denial is invalid, the committee ruled.

The decision in the three-year tenure battle will now be made by University President David S. Saxon, or his successor, David P. Gardner, who takes office July 1. Shaw's contract expires June 30.

Shaw said this morning she is "pleased with the findings. It's a statement on the part of our Faculty Senate that a faculty member has a right to have her or his research and teaching treated with respect, regardless of personal opinions held by administrators or faculty."

Sinsheimer is on his way back from Oregon today, a spokeswoman in his office said, and could not be reached for comment.

Last May, Sinsheimer overrode the unanimous recommendations of two ad hoc committees to grant tenure. Shaw's teaching and university service were good, he ruled, but the quality of her research was inadequate.

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committees to grant tenure. Shaw's teaching and university service were good, he ruled, but the quality of her research was inadequate.

"It is difficult to see why this work could not have been done by any skilled investigative journalist," he said at the time.

A professor must be recommended for tenure by his or her board of studies, an ad hoc committee and the Committee on Personnel. The first personnel committee voted 4-3 to grant tenure, with one abstention. A second committee voted to deny it. Both ad hoc committees voted unanimously in Shaw's favor. No committee's vote is binding; the chancellor is to take all into consideration.

Shaw, a community studies professor, spent two years researching women's health care in prisons, and several years researching maternity wards across the country. She wrote two books, "A West Santa Cruz Health Study" and "Forced Labor: Maternity Care in the United States." She has done consulting work for the federal Board of Prisons, she said, and for the American Medical Association.

The Faculty Senate's Committee on Privilege and Tenure undertook a review of the case when Shaw filed a formal grievance. According to a statement from Shaw's legal defense committee dated March 30, the P&T committee found "three major violations of Shaw's rights:"

- The chancellor initiated a second "unjustified ad hoc committee after a first committee had unanimously recommended her promotion," and it appeared the reasons were simply because Sinsheimer disagreed with the committee's findings;
- That the chancellor used material in evaluating Shaw that neither she nor her board of studies knew were under consideration;
- Political considerations were used in deciding the case.

The committee cites a letter written by Sinsheimer after he announced Shaw's termination, in which he states: "It has become clear that there is an academic network of 'progressive' social scientists who will fervently support any member of this club. This makes even the interpretation of the outside letters very difficult."

Carter Wilson, chairman of the Community Studies Board and Shaw's department head, said Sinsheimer is "libeling some large segment of the entire national and international academic structure — it's highly significant."

"This does not mean automatic tenure for Nancy," he continued. "It now goes to the university president for a review. What it does mean is the chancellor should return to the legal system of the University of California."

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