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OFFICE OF THE CHANCELLOR

October 28, 2009

MEMORANDUM NO. SSC-09-541

TO: Prof. Sarah Jane S. Raymundo
Prof. Randolph David, Chair, Department of Sociology
Dean Zosimo Lee, CSSP
VCAA Lorna Paredes

SUBJECT: TENURE OF PROF. SARAH RAYMUNDO

This is not a typical case of a tenure application which was simply denied by a department.

Background:

(a) On April 18, 2008, the Department of Sociology (DEPT) recommended Assistant Prof. Sarah Raymundo for tenure (Attachment A). The justification partly reads, "The tenured faculty of the Department of Sociology, in a vote of seven to three, recommends the granting of tenure to Assistant Professor Sarah Jane S. Raymundo." The seven who voted for tenure were:

- Prof. Cynthia Rose B. Bautista
- Prof. Ester B. De la Cruz
- Prof. Filomin C. Gutierrez
- Prof. Laura L. Samson
- Prof. Randolph S. David
- Prof. Josephine C. Dionisio
- Prof. Gerardo M. Lanuza

The three who did not vote to grant tenure were:

- Prof. Clarissa Rubio
- Prof. Mary Joy Arguillas
- Prof. Marcia Ruth Gabriela Fernandez

The Chair, Dr. Clemen Aquino, did not vote on the matter but attached to the Basic Paper for appointment (BP) her views about the matter (*Pananaw bilang Tagapangulo ng Departamento ng Sosyolohiya*).

The BP was signed by the DEPT personnel committee and the Department Chair Aquino. The BP was also signed by the College Personnel Committee and the Dean, Dr. Zosimo Lee. The papers for

Professor Raymundo's tenure were forwarded to the Office of the Vice Chancellor for Academic Affairs (OVCAA). VCAA Lorna Paredes included the item in the agenda of the University's Academic Personnel and Fellowships Committee (APFC).

(b) The justification for the grant of tenure and the dissenting opinion ("Minority Report" (MR)) (Attachment B) were attached to the BP, together with the views of the Chair. VCAA Paredes then referred the matter to Dean Lee in a letter dated May 30, 2008 (Attachment C) instructing Dean Lee and the CEB to comment on the "letters of three faculty members and the Chairperson of the Department of Sociology who have expressed their disapproval on the grant of tenure for Prof. Raymundo."

(c) In a letter dated June 20, 2008, VCAA Paredes informed Chair Aquino that "(her) letter and the letter of the three tenured faculty who were not in favor were referred back to Dean Zosimo Lee and the CSSP College Executive Board (CEB) for their comments and recommendation." VCAA Paredes said that "We in the APFC share the same concerns expressed by the CEB and we would like to request your Department to give us your comments on them. Perhaps the majority who were in favor can further explain how the academic qualifications and achievements far outweigh this instance of breach of professional ethics." (Attachment D)

(d) In a letter dated October 17, 2008, those who wrote the MR explained and reiterated their position (Attachment E). Their position, in response to the letter of Dean Lee and VC Paredes' June 20, 2008 letter, discussed the following issues:

- "Issue #1 - It is not possible for academic performance or promise to outweigh ethics. University policies and rules emphasize that ethical standards must be observed when faculty teach, research and publish, engage in extension work and service to the community and therefore academic performance or promise and ethics are inextricably linked.
- Issue # 2 - What was involved was not merely one but several instances of failure to uphold the truth and to act in an ethical and professional manner.
- Issue # 3 - The minority observed due process by considering documents as well as the responses made by Prof. Raymundo which were coursed either through the duly authorized representatives of the tenured faculty (the Department Chair or Dr. Ma. Cynthia Rose Banzon-Bautista) or members of the tenured faculty who later voted in favor of granting her application for tenure."

(e) In a letter dated November 14, 2008, nine (9) DEPT faculty members reported that they discussed and voted on the case of Professor Raymundo

again and reported that, "In view of this voting outcome, the Department of Sociology cannot recommend tenure for Prof. Sarah Jane S. Raymundo." (Attachment F) Those who signed the letter were:

- Prof. Clemen Aquino
- Prof. Mary Joy B. Arguillas
- Prof. Maria Cynthia Rose B. Bautista
- Prof. Randolph David
- Prof. Marcia Ruth Gabriela P. Fernandez
- Prof. Filomin C. Gutierrez
- Prof. Gerardo M. Lanuza
- Prof. Clarissa A. Rubio
- Prof. Laura L. Samson

(f) On November 20, 2008, Professor Raymundo wrote to me regarding her case (Attachment G). In her letter, Professor Raymundo said that when informed about the decision of the DEPT to deny her tenure, it was a "major puzzlement" to her because "as far as I am concerned I had fulfilled all the academic requirements for tenure such as teaching, publications, and service. Furthermore, when I inquired about the basis for the non-recommendation of my tenure, I was told that such information could not be disclosed at the moment."

(g) On January 12, 2009, Prof. Filomin Gutierrez and Prof. Gerardo Lanuza wrote to say that they were withdrawing their signatures from the letter in (e) above signed by nine (9) faculty members withdrawing the recommendation for tenure. Prof. Lanuza said "I therefore no longer share in the wisdom of the collective decision reached by the Department of Sociology." Professor Gutierrez said "Therefore, I would like to withdraw my signature from the resulting document where we state that the Department cannot recommend tenure to Prof. Raymundo." (Attachment H). Prof. Walden Bello also wrote a letter on January 12, 2009 registering his opposition to the "non-reiteration of the earlier majority decision to recommending tenure for Ms. Raymundo." (Attachment I)

(h) In a letter dated February 4, 2009, I wrote the DEPT and CSSP to vote again on the matter (Attachment J). The memo partly reads "In view of several 'withdrawals' regarding this case, it is not clear to me now what the official Department and College positions are on the grant of tenure for Professor Raymundo. May I be clarified on the Department position and College position on the matter?"

(i) In a letter dated March 9, 2009 (Attachment K) Chair Aquino reported that the DEPT voted on the matter again with the following result:

Recommending Tenure	:	Prof. Walden Bello
		Prof. Josephine Dionisio
		Prof. Filomin Gutierrez

Prof. Gerardo Lanuza
Prof. Laura Samson

Not Recommending Tenure: Prof. Marie Joy Arguillas
Prof. Marcia Ruth Gabriela Fernandez
Prof. Clarissa Rubio
Prof. Clemen Aquino

Abstaining : Prof. Maria Cynthia Rose Bautista

Recommending Waiver
of tenure rule : Prof. Randolph David

The report did not make a categorical statement as to whether the vote outcome meant that Professor Raymundo was granted or denied tenure.

(j) On March 10, 2009, Dean Lee forwarded the DEPT letter dated March 9, 2009, noted by the CEB (Attachment L). On March 12, 2009, I wrote Dean Lee to say that "The CEB should discuss the matter and make a decision on the matter of tenure." (Attachment M)

(k) In a letter dated March 18, 2009 (Attachment N) Dean Lee reported that the CEB voted on the matter with the following results:

Yes	– Seven
No	– One
"Did not either recommend or not recommend"	– Three
Did not vote	– Two

(l) On March 26, 2009, Prof. Maria Serena Diokno emailed me a copy of her email to Dean Lee raising some concerns on the CEB vote (Attachment O). In particular, Professor Diokno was concerned that while the report seemed to suggest that there was a majority vote for the grant of tenure, two Associate Deans and the College Secretary also voted when it was only the Dean and the Department Chairs who were supposed to vote, "tenure being the prerogative of the chairs and the Dean." Dr. Diokno said that, "therefore, the CEB is divided, just as the Department of Sociology is. If the votes were placed on the basic paper for tenure, only four chairs out of nine would have signed it, and the Dean. There is, then, no majority decision."

(m) Meantime, on April 22, 2009, I sent a memo to VC Paredes saying "I will study the concerns about the process. Meantime, the APFC should evaluate her eligibility for tenure (based on requirements)." (Attachment P)

(n) On June 15, 2009 VC Paredes reported that, "The APFC considers Prof. Sarah Raymundo eligible for tenure." (Attachment Q).

(o) On May 19, 2009, I wrote a memo to DEPT instructing them to "prepare basic paper for tenure processing to commence." On June 3, 2009 incoming

DEPT Chair Randolph David wrote to me, in response to my instructions to prepare the BP, saying

"It has been the long-standing practice in our department (and presumably in other departments as well) that basic papers are prepared and submitted for the processing of appointments – whether for lecturers or regular faculty, for the permanent or the temporary faculty – only upon recommendation of a majority of the tenured faculty. Unfortunately, despite repeated attempts to break the deadlock, the tenured faculty has remained divided on the issue of recommending Ms. Raymundo for tenure."

"In light of this, the submission, at this stage, of the basic paper for Ms. Raymundo for tenure purposes would represent a sharp departure from existing departmental practice. It would also contradict long-held notions of what basic paper represents. To many of us, at least, the practice of sourcing basic papers from the department is an institutional embodiment of the basic principles of departmental autonomy." (Attachment R).

On June 16, 2009, I met with VC Paredes, Dean Lee, outgoing Chair Aquino and incoming Chair David. The result of that discussion were summarized in a memorandum I issued to Dean Lee, VC Paredes, Chair David and Dr. Aquino (Attachment S). In that meeting, it was emphasized that it has been the long-standing practice in the DEPT to arrive at a consensus on tenure decision or, if a vote is to be taken, the applicant must get 2/3 vote.

(p) On June 29, 2009. VCAA Paredes and I met with the DEPT tenured faculty. This meeting was requested by the Chancellor as part of the process in aid of deciding on the appeal of Professor Raymundo regarding her case. In that meeting, the issues relative to Professor Raymundo's tenure, previously communicated, were reiterated. In attendance were:

Prof. Clemen Aquino
Prof. Maria Cynthia Rose Bautista
Prof. Randolph David
Prof. Laura Samson
Prof. Marcia Ruth Gabriela Fernandez
Prof. Clarissa Rubio
Prof. Filomin Gutierrez
Prof. Gerardo Lanuza

(q) On July 8, 2009, I met Dean Lee and the CEB of CSSP. Again this was requested by the Chancellor to help him in the decision on the matter. In that meeting, it was emphasized that the CEB defers to the decision of the DEPT. The members of the CEB in attendance were:

Prof. Ma. Lourdes Rebullida
Prof. Earl Stanley Fronda
Prof. Ma. Luisa Bolinao
Prof. Mary Ann Bacolod
Prof. Aurora Odette Mendoza
Prof. Darlene Gutierrez

(r) On August 26, 2009, VCAA Paredes and I met with Professor Raymundo. In that meeting, we gave Professor Raymundo the opportunity to present her arguments regarding the issues raised in relation to her tenure. Responses previously communicated by Professor Raymundo were reiterated.

(s) In a letter dated June 24, 2009 (Attachment T), Professor Raymundo wrote the Chancellor to "respectfully request your good office to respond to the following questions:

- In March 2008, a decision was reached by the tenured faculty who voted seven to three to recommend granting me tenure. On what grounds and through what processes can a minority overturn this decision?
- Responding to the minority's report, the OVCAA sought my position regarding said minority's allegations. I was never officially asked for my position on the minority's allegations. On what grounds can I be denied the opportunity to be informed of their allegations and on what grounds can I be deprived of the right to reply?
- The faculty met again last November 2008, overturning the previous vote to recommend my tenure. Is this allowed under the rules? If so, then on what grounds?
- The department chair last November 2008 informed me not to attend my classes. Does she have the right to do this? What recourse do I have to ensure that such arbitrary act be addressed if not censured by an appropriate body within the University?
- In May 2009, after more meetings, the CEB voted in my favor. On what grounds can this decision be overturned?
- Given that lacking a consensus, the department deferred the decision of recommendation to your higher office, which subsequently ordered the department to process my basic papers, on what grounds can this order be changed?
- The OVCAA has also recommended that no other obstacles stand in the way of my tenure being granted. On what grounds can this recommendation be negated?
- Finally, given that the rules prohibit anything but academic grounds in the consideration for the granting of tenure, what are the undisclosed bases of all these procedural complications?

APPEAL OF SARAH RAYMUNDO

The application for tenure of Professor Raymundo is on appeal with the Chancellor. In deciding on the appeal, the Chancellor reflected on several questions, including:

1. What is the department's position on the grant of tenure?
2. What is the college position on the grant of tenure?
3. Was Professor Raymundo in fact given the opportunity to explain her side on the issues and concerns raised against her?
4. What would support the Chancellor's position if he were to decide to recommend tenure for Professor Raymundo despite the position taken by the DEPT and the CEB?

On the Matter of the Votes for the Grant of Tenure

After the March 5 and 25, 2008 meetings of the department, the vote was: YES – 7; NO – 3; with the Chair writing a dissenting opinion. As of November 4, 2008, only two (2) tenured faculty members reiterated the recommendation for tenure. As of March 9, 2009, the vote was: YES – 5, NO – 4, Abstaining – 1, Recommending waiver of tenure – 1.

In interpreting the votes, I quote from the letter of Chair David dated June 3, 2009:

"The tenured faculty, acting as the department's academic personnel committee, met several times to deliberate on Ms. Raymundo's tenure application. It was a process that was as thorough and as fair as we could possibly make it, and therefore it took longer than usual. The last of these meetings, that sought the participation (by Skype communication) of two of our faculty members who were abroad attempted to resolve the question once and for all by open nominal voting. The result of that voting, which was promptly reported to you through channels, yielded the following: 5 for granting tenure, 4 against, 1 abstention, and 1 for a one-year waiver of the tenure rule.

Unfortunately, despite repeated attempts to break the deadlock, the tenured faculty has remained divided on the issue of recommending Ms. Raymundo for tenure."

Given that as reported in the July 16, 2009 meeting by the Chancellor with Chair David, Dr. Aquino, Dean Lee and VCAA Paredes, the department, as a matter of practice, always tried to reach a consensus when deciding on tenure, or, if a vote has to be made, the applicant must get at least two-thirds vote, the result

of the DEPT's vote reported in the March 9, 2009 letter will be interpreted as a decision not to grant tenure.

In her appeal, therefore, Professor Raymundo noted that "in March 2008, a decision was reached by the tenured faculty who voted seven to three to recommend granting me tenure" and asked, "On what grounds and through what processes can a minority overturned this decision?"

The faculty of the DEPT, just like faculty of other units, can deliberate on matters already decided upon previously. This is not a practice foreign in the University. Moreover, the DEPT's decision to deliberate and vote again on the matter is not a case of a "minority overturning the decision of the majority." It is a case of a department faculty revisiting its previous decision on a matter and deciding to change its decision on the same issue.

But what could explain the withdrawal of the recommendation for tenure?

Prof. Laura Samson points out in her letter of November 3, 2008 that "It should be noted that no allegation of 'intellectual dishonesty' was made in any of the deliberations of the department's tenured faculty on Prof. Raymundo's case. What was clearly presented, which even some members of the 'majority' viewed with concern, was the 'lack of transparency' or (the failure to disclose full, accurate information) on the part of Prof. Raymundo in handling the case of Ms. Karen Empeño, a student of the Department of Sociology on Absence Without Leave (AWOL), who was reported to have disappeared in June 2006." (Attachment U)

Professor Samson reports that a serious allegation was that Professor Raymundo was asked in a number of instances to clarify the matter. It is reported that there were inconsistencies in the statements she made regarding her knowledge and actions on the Empeño case. Professor Samson noted in her letter that Dr. Maria Cynthia Bautista and Prof. Randolf David withdrew their recommendations because "despite several meetings of the majority, many questions remain unclarified at this point in time." Professor Samson's letter was "Noted" by both Professor Bautista and Professor David.

On the CEB position on the matter

In the original BP, the CEB approved Professor Raymundo's tenure. However, when the concerns raised by the MR were addressed by the DEPT and the DEPT position was transmitted to the CEB, it also became unclear what exactly the position of the CEB was. Although there was a vote done by the CEB at its meeting on March 17, 2009 (with 7 for YES, 1 for NO), this vote could not be taken at face value because there were those who voted but were not supposed to vote.

I quote from the written explanation of the vote by one department chair:

"The decision of granting tenure is the prerogative of the department. This is a principle that we have long adhered to and hold as a fundamental tenet within the university. It is a basic

principle that guides governance within an academic setting. We are concerned that Sarah Raymundo's case may present a dangerous precedent threatening this autonomy.

Having said that, we feel that we are really in no position to recommend or not recommend tenure for Sarah Raymundo because we have no full appreciation for the reasons why the faculty is divided in its stand. . . We also feel that within the department itself there are issues that only they themselves can resolve. . . If they themselves can not make a categorical stand, how can we, outsiders to the department, pass judgment on this case?"

On July 8, 2009, I met with Dean Lee and the other members of the CEB to discuss the case of Professor Raymundo. It was clear that the CEB position was to respect or defer to the decision of the DEPT. Since there was no consensus to grant tenure to Professor Raymundo at the DEPT level, it should be taken to mean that there is also no consensus to grant tenure to Professor Raymundo at the College level.

Was Professor Raymundo in fact given the opportunity to explain her side on the issues and concerns raised against her?

It is reported that the tenured faculty of the DEPT have agreed in the past that only the Department Chair and any other authorized representative(s), if any, of the tenured faculty are authorized to dialogue with applicants for tenure regarding issues and concerns which are raised during deliberations for renewal and tenure. In the case of Professor Raymundo, the DEPT authorized only the Chair, Dr. Aquino, and Dr. Ma. Cynthia Rose Bautista to dialogue with Professor Raymundo regarding her tenure. As reported, Dr. Aquino and Dr. Bautista in fact talked to Professor Raymundo in March, 2007 regarding the concerns raised on her tenure.

Professor Samson, in her letter, mentioned that "to further clarify her actions/inactions on this matter, members of the majority invited Prof. Raymundo to a meeting to present her side." The meeting was reported to have been held in June, 2008.

It is my conclusion that there was transparency in the process as the issues raised against Professor Raymundo were brought to her attention and explained to her. She was in fact given sufficient opportunities by the tenured faculty to explain her side on the issues raised. In the meeting by the Chancellor and VCAA Paredes with Professor Raymundo, she was also given the same opportunity.

What would support the Chancellor's position if he were to decide to recommend tenure for Raymundo despite the position taken by the DEPT and the CEB?

In her June 29, 2009 letter, Professor Raymundo wrote that, "The OVCAA

has also recommended that no other obstacles stand in the way of my tenure being granted," and asked, "On what grounds can this recommendation be negated?"

It should be pointed out that the OVCAA did not recommend that "no other obstacles stand in the way of tenure being granted." What VCAA Paredes in fact reported was, "Based on the tenure requirements specified in the Faculty Manual, the APFC considers Prof. Sarah Raymundo eligible for tenure."

What are the minimum qualifications for tenure? According to Section 5.3.2, paragraph (d) of the UPD Faculty Manual, December 2003 Edition (page 65):

"d. The minimum qualifications for tenure shall be the following. Units may impose stricter standards.

- At least a master's degree or equivalent degree or a professional degree;
- Satisfactory or better teaching performance; and
- Sole or lead authorship of a refereed journal article (local or international) or academic publication by a recognized academic publisher or literary publisher in the case of literary work; or in the field of visual arts, creative work that was exhibited and juried, or a similar requirement in music and other performing arts."

While VCAA Paredes has reported the APFC position that Professor Raymundo qualifies for tenure, it should be understood that this meant she satisfied the minimum qualifications stated above. It should be underscored that units may impose stricter standards. It is in this context that the DEPT's position not to grant tenure is taken by the Chancellor.

In her June 24, 2009 letter, Professor Raymundo said that "given that the rules prohibit anything but academic grounds in the consideration for the granting of tenure, what are the undisclosed bases of all these procedural complications?"

While Professor Raymundo said "the rules prohibit anything but academic grounds" as basis for tenure, it should be pointed out that "academic grounds include professional ethics, intellectual honesty, and other values central to academic life" (Shaping Our Institutional Future: A Statement on Faculty Tenure, Rank, and Promotion; OVPAA, 2004, page 12). In fact, those who wrote the MR invoked this principle.

Those who wrote the minority report argues:

"A faculty member who applies for tenure should not only meet the minimum requirements for tenure in terms of teaching, publications and service, it is also indispensable that the application must 'conduct himself/herself ethically in all dealings with students, colleagues, staff, and persons outside the University' (UPOVPAA, 2004, Shaping Our

Institutional Future: A Statement on Faculty Tenure, Rank and Promotion, p.4). Furthermore, 'academic grounds include professional ethics, intellectual honesty, and other values central to academic life' (Ibid, p.12)."

I quote again one of the department chairs who voted in the CEB:

"we feel that we are really in no position to recommend or not recommend tenure for Sarah Raymundo because we have no full appreciation for the reasons why the faculty is divided in its stand."

Unlike the above-quoted department chair, the Chancellor was provided sufficient information to have full appreciation of the reasons why the DEPT is divided on the issue. It is my view that those opposed to the grant of tenure to Professor Raymundo did not leave "undisclosed" their reasons for denying tenure; they have, in my assessment, sufficiently explained why she failed to meet the standards stipulated above.

Action on the Appeal

The Chancellor is asked by Professor Raymundo to "resolve this matter" and act in her favor.

In reflecting on this appeal, the Chancellor took into consideration the concluding portion of the "Justification" submitted in support of the earlier submitted BP of Professor Raymundo (Attachment B):

"After long and passionate discussions which touched on, among others, the theory and practice of democracy, academic freedom, and professional ethics, seven out of ten tenured faculty members ... decided that her academic qualifications and achievements far outweigh the perceived shortcomings."

Also, Chair David wrote, "the tenured faculty has remained divided on the issue of recommending Ms. Raymundo for tenure."

In deciding on the appeal, therefore, the Chancellor must also assess Professor Raymundo's academic qualifications and achievements vis-à-vis the other "academic grounds" being invoked to deny her tenure. What would tip the balance in Professor Raymundo's favor?

In addressing this issue, the Chancellor reviewed the recent similar case of the tenure of an associate professor in another institute.

This associate professor was also not recommended for tenure by the institute's tenure committee because she failed to get the required 2/3 majority vote of the tenured faculty. The CEB of the college, however, recommended the grant of

tenure, by a unanimous vote of those qualified to vote on the matter. The case was then brought to the level of the Chancellor who subsequently interviewed the institute's tenure committee, the dean of the college, the institute director, and the faculty herself.

The CEB's approval to grant tenure considered the faculty's documented academic accomplishments in teaching, research, and extension services. (She has a Doctor of Science degree, has authored/co-authored twenty-three (23) papers in ISI-indexed journals including seven (7) where she is the first author, has received UP President's International Publication Awards (2000, 2002-2007), National Academy of Science and Technology Outstanding Young Scientist Award in 2003, UP Scientific Productivity Award (Scientist I) in 2006, National Research Council of the Philippines Achievement Award in 2006.)

In the case of Professor Raymundo, she does not have a doctoral degree yet. She has actually only two (2) publication outputs in the period of reckoning for tenure that would satisfy the "sole or lead authorship" publication requirement for tenure. She is author of the following, both of which appeared in *Kasarinlan: Philippine Journal of Third World Studies*:

- Review of Globalization and Social Exclusion: A Transformationalist Perspective by Rolando Munck, (Bloomfield, CT: Kumarian Press 2005); *Kasarinlan* 2006. 21(1)
- Review of Empire of Care by Catherine Ceniza Choy, (Ateneo University Press, 2005); *Kasarinlan* 2006. 20(1)

It should be noted that both of the above two publications were in fact reviews of works of others.

All of the above considered, the Chancellor does not rule in favor of Professor Raymundo in her appeal for grant of tenure.

For your information and guidance.



SERGIO S. CAO
Chancellor

Attached:a/s