

The Advocate

Spring 2016



WMU-AAUP Faculty Fund 128 Gift Cards for Seita Scholars

Thanks to the generous contributions of faculty to the WMU-AAUP Seita Scholars gift card initiative, all 128 returning Seita Scholars received \$25 Visa gift cards at the beginning of the spring semester.

The WMU-AAUP Executive Committee launched the gift card fundraiser last fall in honor of the national AAUP centennial. Working with Seita staff, we set January 2016 as our target date for distributing the gift cards, a critical time of year when student finances are often stretched to their limits.

Thanks to all who helped to make the new year a little brighter for WMU's Seita Scholars: WMU faculty, staff, retirees, and administrators who donated; WMU-AAUP officers, Executive Committee members, and Association Council reps who supported the project and helped with fundraising; WMU-AAUP office staff, who processed the donations and managed the logistics of acquiring and packaging the gift cards; and Seita program staff, who worked with us to make sure that every returning Seita Scholar received a gift card.



Events & Workshops

February 9	11:30 a.m.	Topic: Title IX Lunch table discussion Faculty Dining Room Bernhard Center
March 17	2:00 p.m.	Tenure & Promotion Faculty Specialist session 211 Bernhard Center
March 21	7 p.m.	Faculty Play Reading President's Dining Room Bernhard Center
March 24	2:00 p.m.	Tenure and Promotion Traditionally-ranked faculty 157 Bernhard Center
April 8	11:30 a.m.	Topic: Campus Safety Lunch table discussion Faculty Dining Room Bernhard Center
April 14	2:00 p.m.	Department Policy Statement workshop 211 Bernhard Center

Meetings

February 19	1:30 p.m.	Association Council 157 Bernhard Center
March 25 (revised date)	1:30 p.m.	Association Council 210 Bernhard Center (revised room location)
April 8 (revised date)	1:30 p.m.	Chapter 105 Bernhard Center (revised room location)

If you'd still like to contribute, we will continue to accept donations throughout the year, with the goal of making the Seita spring semester gift card initiative an annual program. Please send your check (payable to the WMU-AAUP with "Seita" in the memo) via campus mail to mail stop 5401, or stop by Montague House (814 Oakland Drive) with your cash or check donation.

The American Association of University Professors Turns 100: Celebrating Milestones and Looking Ahead

by Lisa C. Minnick, WMU-AAUP President

We have a lot to celebrate this year, as the American Association of University Professors, parent organization of the WMU-AAUP, turns 100 and as our chapter marks 40 years since WMU faculty negotiated their first contract as a collective-bargaining chapter.

In many ways, this has been a great year for the faculty. Our 2014-17 Agreement includes salary increases every year, and our union contract ensures that we will continue to enjoy robust tenure protections, rights to due process, and rights to participation in shared governance. Our dues-paying membership remains strong, thanks to a new membership outreach and retention program led by our public relations and communication officer, Cathryn Bailey. Grievance officer John Sailant and contract administrator Kate Langan have tirelessly and successfully challenged administrative encroachments on faculty rights to academic freedom and due process. The faculty has elected an outstanding Executive Committee (your college-level reps) and an excellent Association Council (your department reps). We are fortunate to have such a diverse, talented, and committed team of leaders as well as a contract that provides a wealth of benefits and protections. Many of our colleagues at other institutions do not enjoy such security, nor do our part-time faculty colleagues here at WMU. Our contract is the legacy of generations of faculty who fought for the rights and protections we may be tempted to take for granted today.

But we can't be complacent. Financial crisis has become the new normal on our own campus and in higher education more widely. Public-sector unions remain in the sights of our state legislature, and on January 11, the U.S. Supreme Court heard oral arguments in *Friedrichs vs. California Teachers Association*, a case that could seriously compromise the financing of public-sector unions.

As professors, we should be taking the lead in articulating the value of higher education and an educated citizenry. In an open letter published in November, Dr. Nan Enstad, professor of history at the University of Wisconsin in Madison, calls upon faculty to "change the conversation about public universities."

Enstad writes:

Changing the conversation means finding the bigger message that is not just about us... because this truly isn't just about us. We need to seize control of the discourse and get out of an entrenched defensive position. The larger struggle we are in is about democratic access to public education for Wisconsin students and freedom of inquiry in a democratic society.

In her letter, Enstad references the massive budget cuts and attacks on tenure passed by the Wisconsin legislature and signed into law by Gov. Scott Walker in 2015. But the conditions that enabled a \$250 million budget cut for the University of Wisconsin System and the elimination of due process protections for faculty are not contained by state borders. They are consequences of an ideological shift in this country, away from valuing higher education as a public good. We are seeing a pattern of threats to tenure, due process, and faculty rights to shared governance, many of them attempts to diminish the status of the professoriate as a professional workforce, at universities around the country.

As we celebrate the national AAUP centennial and our own 40th anniversary as a collective-bargaining faculty, we must also look ahead. Our milestone celebration this year presents an ideal opportunity for us to engage in conversations – among ourselves, with students, with the wider community – about our values as professors, about student access to higher education and affordability for working families, about the ethics of institutional reliance on contingent faculty earning poverty-level wages, and about the future of higher education in this state and in this country. As educators, researchers, artists, and scholars, we are uniquely qualified to lead these discussions. It is long past time for professors to stop allowing those who neither understand our mission nor share our qualifications to define our work or our value.

Academic Freedom Update – The AAUP and Academic Due Process by Brian Tripp, WMU-AAUP Vice President

As we celebrate the AAUP centennial, academic freedom still stands as one of the pillars of higher education, along with tenure, which protects academic freedom. The national AAUP has been engaged in defining and defending these academic principles for its 100-year history, and a portion of our chapter dues goes to the national organization to support these efforts.

The authoritative AAUP statement is the *1940 Statement of Principles on Academic Freedom and Tenure*, endorsed by more than 200 academic organizations and included in the faculty handbooks of over 1,000 institutions. Academic freedom includes freedom of teaching, freedom to conduct research and publish those investigations, and freedom of extramural and intramural speech. AAUP founding member Arthur Lovejoy was among the first to assert that academic freedom in institutions of higher learning provides a benefit to society. He writes:

The reason why such freedom is ... socially necessary lies in the fact that there are certain professional functions generally recognized to be indispensable in the life of a civilized community which cannot be performed *if the specific manner of their performance is dictated by those who pay for them*, and that the profession of scholar and teacher in higher institutions of learning is one of these.

Academic due process, a term first coined in 1954 by the American Civil Liberties Union, protects tenure, which has been defined as the application and extension of constitutional due process to the specific circumstances of the academy, i.e., institutions of higher learning. Today, AAUP-recommended standards and procedures are widely accepted, including timelines for notification of non-reappointment or tenure denial, progressive review in disciplinary cases, and procedures for program discontinuance. In cases of tenure denial or non-reappointment, three conditions are expected to be met: adequate notice (based on prior length of employment), written reasons upon request, and the opportunity to contest the decision with an elected faculty body. AAUP standards also define the institutional application of financial exigency, a justification sometimes used to terminate faculty and/or departments or academic programs. It should be noted that these AAUP standards are equally valid for non-tenure track faculty, who represent an increasing proportion of faculty at higher educational institutions across the nation, including WMU.

Last summer I attended the AAUP Summer Institute, at the University of Denver, including a half-day workshop on “Defending Academic Freedom at the Chapter and State Conference Levels.” The presenters outlined the national AAUP’s approach to development and implementation of recommended standards on academic freedom and tenure.

This work is carried out by two groups at the national AAUP. One is Committee A on Academic Freedom and Tenure, made up of 11 regular members and seven ex-officio members and consultants. The second group is the Department of Academic Freedom, Tenure, and Governance, made up of five permanent national staff members. The AAUP receives several dozen inquiries and complaints per week, including from faculty members “in trouble” and faculty who have been denied reappointment or tenure. Depending on the circumstances, the AAUP may decide to “open a case,” which typically occurs 80 to 90 times a year. This involves investigating the circumstances and potentially submitting a written complaint or taking more serious measures against the offending administration, including “censure” for academic freedom violations or “sanction” for governance violations. An important final proviso to keep in mind is that “*the AAUP, and thus its chapters and conferences, defends its own recommended principles and standards, not individuals.*”

If you have immediate questions or concerns about academic freedom or academic due process, call us at 345-0151, email us at staff@wmuaaup.net, or stop by Montague House (814 Oakland Drive). The AAUP also has academic freedom resources available online at aaup.org under “Our Programs.” Some of these resources, including sections of the new edition of AAUP’s *Policy Documents and Reports* (the “Redbook”), are password protected and only available to dues-paying members. To access them, call the national AAUP membership department at (800) 424-2973 to request a password.

Editor’s note: For new faculty, and for those who may have missed VP Tripp’s review of the general principles of academic freedom in the online-only Spring 2015 issue of The Advocate, his report (and the entire issue) is available at http://wmuaaup.net/advocate_spring_2015.pdf. This report is highly recommended for faculty interested in academic freedom.

WMU's AAUP Advocacy Chapter of the 1950s and 1960s

by Sharon Carlson, WMU-AAUP Treasurer

The WMU Chapter of the AAUP was founded in 1950 to champion causes of academic freedom, shared governance, and support of higher education. In 1950, Western Michigan College of Education had just embarked on the construction of buildings on the new west campus and student enrollment was just over 4,100. Much would change at WMU between 1950 and 1975. Some issues such as compensation, academic freedom, teaching and technology have resurfaced time and again.

The earliest account of a meeting of the Chapter is dated January 10, 1951. A set of minutes indicates it was the "second organization meeting of the proposed chapter of the American Association of University Professors." There is no record of the first but it was likely held in late 1950. The first regular meeting occurred February 28, 1951, and twenty-nine members elected the first Chapter leadership. Charles Starring, History, was elected president, and Leonard Meretta, Music, was elected vice president. After the presentation and discussion of a paper titled "Economic Implications of the United States Denazification Program in Germany," the meeting resumed its business session and turned its attention to the faculty concerns about compensation. According to the minutes, "The matters considered were the current status of the salary position of the college staff, and a canvassing of what was being done and what the chapter itself might do to improve the situation."

The records are fairly complete beginning in 1952, and many of the issues discussed during the first decade are eerily similar to the work of the WMU-AAUP today. The minutes of January 30, 1952, identify a "committee studying teaching loads, discussion of definition of 'education objectives' and presentation of Extension [Program] problems."

Dr. Ralph N. Miller, English, was one of the most active members and served as president of the Chapter in its infancy. Miller arrived on the WMU campus in 1946. His Ph.D. was from Northwestern University, where he had also taught for five years. Miller would spend 37 years at WMU and serve four terms as president of the WMU-AAUP, including the years when the Chapter voted to form a union.

Salaries and benefits are frequently referenced in the reports and minutes. In the fall of 1956, Chapter President Miller noted that "A Faculty

Council committee on insurance does exist" and that "This committee should look into the plans that have been adopted in institutions of various kinds and sizes." He rightly noted that "It is quite likely that the 'fringe benefits' available to college faculty will seem very important by any person who is considering an offer of appointment to this faculty." By the late 1950s, the Chapter also discussed lagging faculty salaries with increasing regularity.

WMU's Faculty Senate also explored the topic and prepared a report in 1964 comparing salaries at 280 institutions in 1959-60 and 1963-64. The Faculty Senate report found that the average salary at WMU had dropped from 127th to 180th place and identified a multi-year plan to bring WMU salaries in line with similar institutions. When this was presented by the Faculty Senate to the AAUP, the following resolution was adopted: "The proposals of the Faculty Senate Salary Committee are hopelessly inadequate, and we recommend that the Senate adopt the proposed 1968-69 standard as its recommendation to the university administration for 1965-66." The motion passed. Other factors cited included the competitive hiring climate of the mid-1960s and the fact that new faculty were being hired in with salaries higher than established faculty.

The salary issue remained unresolved, as evidenced by a resolution documented in the minutes from a meeting on October 12, 1967: "Resolved, that the Western Michigan University Chapter of the American Association of University Professors does encourage the Western Michigan University Faculty Senate Salary committee to explore the possibility of securing funds for the employment of a professional consultant to gather salary data in a scientific manner and to build a more effective case for a better salary program at Western Michigan University."

Some of the issues discussed were very much products of the time in which the early Chapter operated. An announcement for a joint meeting of the Kalamazoo College and WMU Chapters on December 10, 1957, included a panel of scientists from both institutions to discuss "The Implication of Sputnik on American Education." On a more somber note, Professor Dennenfeld, English, brought forth a resolution in early 1959 relative to the National Defense Education Act of 1958. WMU was not exempt from the tense climate of the Cold War. The national AAUP had

continued from page 4

asserted that portions of the Act were vague and unconstitutional. The WMU-AAUP agreed and passed a motion, which was sent to elected representatives: "Resolved: that the Western Michigan University Chapter of the American Association of University Professors strongly protests the Disclaimer Affidavit in the National Defense Education Act and endorses the American Association of University Professors Statement of November 1, 1958 relative to said disclaimer."

Issues surrounding teaching and the use of the newest technology of the day (i.e., television) also received attention for several years in the early 1960s. The WMU-AAUP newsletter dated April 3, 1962, noted that the April 10 Chapter meeting would focus on television instruction and feature a "panel of faculty who are now or have been involved in courses taught by television." The discussion would cover release time for preparation of lectures, efficiency of instruction and "freedom to introduce or remove courses from the television instruction site." The TV Policies Committee was formed in 1964.

In 1961, the Chapter advocated for a statement of "procedural rights" in the faculty handbook. While the late 1950s and 1960s were good ones for the university, when it came to disputes about tenure or promotion, the faculty had little recourse. The Chapter could prevail on the national organization to investigate, but it didn't have any real teeth

beyond bad publicity for the institution or the annual salary listings.

By the early 1970s, the country was in a recession and inflation was a serious economic issue hitting both administration and professors. Western's faculty salaries continued to lag behind other universities in Michigan, with assistant professors ranked at the very bottom of the 14 public institutions. But it is probably too simplistic to cite salaries as the reason a majority of Western's 900 faculty voted to unionize and become a collective bargaining chapter in March 1974. There were also a number of non-economic issues concerning shared governance and university policy decisions.

The steps to obtaining the first faculty contract were arduous and the process took over two years. Much of this history is recounted in the 2003 video history of the WMU-AAUP, *One Chapter, Many Voices*. Perhaps the most compelling statement in the video is one by past WMU-AAUP President, Ernest Rossi: "[T]he rise of the importance of this university and the coming of collective bargaining came at the same time." The factors that contribute to the rise of a university and faculty morale are inextricably intertwined.

Editor's note: This is a revised and expanded version of an article Dr. Carlson, prepared for the Advocate in April 2011 about the beginnings of the AAUP chapter on the WMU campus.

Invisible Hours Pilot Project Now Underway

Led by Dr. Gwen Tarbox (English), and part of the year-long AAUP centennial celebration, the WMU-AAUP Invisible Hours pilot project is now underway, with faculty volunteers from across disciplines collaborating to track the activity that goes into one visible hour of faculty work. That hour could be a class lesson, clinical supervision, fieldwork, performance, lab activity, or any other faculty activity carried out in the public realm.

Each participant's data will be charted on a circular clock face infographic, with an inner circle describing the public activity and concentric circles with brief descriptions of the layers of work that went into their hour. The

result will be an easy-to-read and powerful visual representation of faculty achievement and dedication, as well as a reminder of the depth, breadth, and variety of work that professors do at a public research institution like WMU.

The infographic can be used at WMU Day at the Capitol, recruitment fairs, and any university function that showcases the work of the faculty. Our hope is that it will help students, parents, legislators, and other stakeholders better understand the professional lives of university faculty and how our work benefits WMU students and the community more widely.

National AAUP Issues Statement on Developments in Wisconsin

At a time when faculty rights to tenure and due process are being challenged by administrators and lawmakers nationwide, as well as misrepresented to the public, the national AAUP's Statement on Developments in the University of Wisconsin System is an important reminder of some of the foundational principles of our profession.

After the Wisconsin legislature removed tenure and shared governance protections for UWS faculty, the AAUP and AFT-Wisconsin called on the UWS Board of Regents to enact policies consistent with AAUP principles through a process involving faculty and staff governance bodies. The Regents temporarily enshrined prior statutory language regarding tenure and shared governance and created a system-wide task force to craft new policy. In an initial conversation with the AAUP's Department of Academic Freedom, Tenure, and Governance, the UWS administration pledged that the new policies would follow AAUP standards.

However, early draft recommendations from the task force were fraught with conflicts with AAUP policies and standards. But in December 2015, the task force finalized an improved set of draft policies, although some faculty members who served on the task force questioned draft language related to post-tenure review and language regarding layoffs added by the UW System general counsel. Faculty members worried that "allowing for layoffs to accommodate program changes short of discontinuation raises the risk that faculty will be targeted for engaging in unpopular speech or controversial lines of research." ("UW tenure task force wraps up on a note of uncertainty," *Capital Times*, December 24, 2015.)

Vice President of the UWS Board of Regents John Behling, who chairs the task force, wrote in an op-ed that UWS "must be able to operate more like modern private and non-profit sector organizations that, in challenging and often unpredictable times, respond to changing market forces, demographics, trends and demands." On layoffs, Behling wrote: "Our new policy proposal empowers chancellors to discontinue programs as necessary for educational or financial reasons,

and, if absolutely necessary, it allows for faculty in those programs to be laid off." ("Opinion: UW tenure reforms provide flexibility, accountability," *Milwaukee Journal-Sentinel*, December 22, 2015.)

While Behling maintains that "Tenure is a critical bedrock of higher education," critics point out that the Regents "can't have it both ways." In a letter to the editor responding to Behling's op-ed, Chad Alan Goldberg, Professor of Sociology at UW-Madison, wrote that the Regents "can either uphold a strong tenure policy or it can give administrators more flexibility to fire faculty." He added that "The purpose of a strong tenure policy is precisely to limit administrators' flexibility to reallocate resources and staff so that such decisions do not infringe on academic freedom and are based on educational considerations as determined primarily by the people most qualified to do so, namely, the faculty." Finally, he reminded the Regents and the public that tenure is "not a 'job for life'; it's a right to due process." ("Letter to the Editor: Regents can't have it both ways," *Milwaukee Journal-Sentinel*, December 29, 2015.)

The draft policy will go to the UWS Board Regents in February. Behling said that their staff "will refine the drafts" of the policies on tenure and on post-tenure review and that "the language could change further at the hand of regents." ("UW tenure task force wraps up on a note of uncertainty," *Capital Times*, December 24, 2015.)

The AAUP national staff and leadership, along with AAUP faculty and their chapters in Wisconsin, remain vigilant in working to ensure that UWS policies comport with AAUP standards, but current developments are not promising.

In Michigan, the authority to govern public universities already rests with each institution's Board of Trustees. We need to watch the developments in Wisconsin because the political realities behind them are not bound by state borders. At WMU, the only protection for faculty rights is our union contract. Fortunately, we have a strong union and powerful contract language. But it will take our ongoing vigilance to preserve our rights as faculty.

Read the full AAUP statement online: aaup.org/news/developments-university-wisconsin-system