

NEWSLETTER

Colorado State University Chapter American Association of University Professors (AAUP)

Academic Freedom for a Free Society Vol. 3:2 Fall (2010)

AAUP Update

State Conference/Around the State:

- **Annual Meeting:** Our state conference annual meeting is scheduled for December 4th on the CU Boulder campus. The meeting will run from 9:30 a.m. until noon in the University Memorial Center, Aspen Rooms, University of Colorado-Boulder. A keynote address by Dr. Cary Nelson, AAUP President, will follow from 12:30-2:00 p.m. in the same location. Cary's address will focus on the problem of corporatization of higher education—the theme of this month's issue of *Academe*. Please plan to attend. Carpooling will be available—contact Steve Mumme for details.
- **Executive Council/Constitution and Bylaws:** Meeting in Denver on September 17, the State Conference Executive Council approved changes to the State AAUP constitution and bylaws. Most changes involved housecleaning to better comply with IRS requirements and clarify procedures for electing officers. These changes will be up for approval at the Colorado AAUP annual meeting next month.
- **CCPFR Update:** The Colorado Committee for Protection of Faculty Rights is continuing to review several cases at the University of Colorado and hopes to have a report in the near future.

Chapter Affairs

- **Chapter celebrates 5th Anniversary.** We are now officially 5 years on as a campus organization.
- **Arbitration initiative.** CORSAF continues to consider the Chapter's arbitration initiative. We should have an update at the chapter meeting on November 19.
- **Membership:** Thanks to all of you who renewed your AAUP memberships. With retirements and other departures, we have lost several members and need to renew our ranks. Please invite a colleague to join AAUP. Don't hesitate to contact Steve Mumme for membership information, or go online at www.aaup.org

Academic Freedom and Shared Governance at CSU

Steve Mumme, Political Science

As our chapter tag line proclaims, AAUP champions academic freedom. Academic freedom cannot be taken for granted. While our faculty manual affirms its importance, on our campus we still confront various ongoing academic freedom issues. Our temporary and adjunct faculty, to take one glaring instance, labor daily absent the protection of academic freedom for the simple reason that they lack meaningful access to the grievance and faculty protection procedures enjoyed by tenure track faculty.

The need to assert and defend academic freedom is evident in two linked issue-areas bearing on the relationship between academic freedom and shared governance practice on our campus. Both issues have drawn faculty attention this semester.

The **first** issue, now taken up by Faculty Council, responds to national concerns following from the 2006 landmark Supreme Court case of **Garcetti v. Ceballos** which opened the door to administrative sanction and censure of faculty engaged in criticism of university administration. In brief, the **Garcetti** decision established that employees do not enjoy First Amendment protection of speech uttered in the performance of their official duties. It seems obvious that shared governance is meaningless in the absence of freedom to critically discuss university procedures and practices, yet that is exactly what **Garcetti** called into question.

How, then, should faculty respond? The AAUP national organization urges academic faculty to explicitly link the practice of shared governance to academic freedom in university manuals, committing university administrators (and, hopefully, their governing boards) to respecting the necessary debate and criticism associated with university policy development and change. At the University of Minnesota, for example, the faculty manual has been amended to provide principled protection to faculty with the following language:

"Academic freedom is the freedom to discuss all relevant

Campus Affairs

- **Advisory Committee on Special and Temporary Faculty.** The newly established Advisory Committee on Special and Temporary Faculty is now constituted, with the following members: Jen Aberle (AHS), Laura Thomas (CLA), Tracy Richards (CNS), Torsten Eckstein (CVMBS), Colleen McKee (CLA), Steve Shulman (Reg Fac-CLA) and Lori Kogan (Reg Fac-CVMBS).
- **Adjuncts in Liberal Arts:** CLA Associate Dean Pattie Cowell recently conferred with General Counsel concerning the possibility of granting “at will” contracts for terms of 3 years—as opposed to one semester or a single year. No decision was made but discussion will continue at a later date.

Members Speak Out!

Assistant Professor’s Salaries in Distress

**By Dr. Donna Rouner
(Dept. of Journalism)**

With the expectation that Colorado State University will experience a third consecutive year of salary freezes, assistant professors, many who were hired at levels lower than peer institutions, are experiencing seriously low wages. With no increase in sight, given the economic forecast, these new tenure-track professors face more rigorous demands for meeting tenure and promotion than many senior faculty members experienced. With great claims on their time and energy, and no economic incentives, these faculty may feel demoralized and find they have little alternative than to go on the job market. It is uncertain whether deans will be able to make retention offers for these individuals. Finally, their leaving will create a faculty shortage that is already threatened with retired and departing faculty who are not being replaced in many departments.

Eileen Schell at CSU: On October 28th our AAUP chapter joined other campus organizations in hosting Dr. Eileen Schell of Syracuse University, a noted authority on the status of adjunct and other temporary faculty in American higher education. Dr. Schell participated in 3 events including her keynote lecture on Thursday night. Her formal remarks featured strong support for our campus wide efforts to strengthen support for adjunct faculty, emphasizing the importance of organization and collective initiative in changing campus culture and administrative and faculty attitudes towards our adjunct and temporary colleagues.

National Reports and Initiatives: The national

matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write without institutional restraint on matters of public concern as well as on matters related to professional duties and the functioning of the university.”

The University of Wisconsin recently adopted the following language:

“Academic freedom is the freedom to discuss and present scholarly opinions and conclusions regarding all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one’s scholarly discernment. It also includes the right to speak or write—as a private citizen or within the context of one’s activities as an employee of the university—without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties, the functioning of the university, and university positions and policies”

Of the two statements, the latter is clearly the more encompassing statement of principled protection *and we should hope and encourage our Faculty Council representatives to adopt such language in the very near future.* The importance of doing so is evident in the **second** shared governance matter attracting faculty interest, namely, Provost Rick Miranda’s written advisory on administrative perspectives on the practice of tenure and promotion at Colorado State (see link below).

The Provost’s memorandum is an apt illustration of the need for a clear extension of academic freedom to the faculty’s exercise of the responsibility of shared governance at Colorado State. In this case, the Provost plainly sought to assist departments in gauging criteria bearing on the question of faculty eligibility for tenure and promotion. All well and good.

Well, maybe. While the Provost’s good intentions may be taken at face value, and while he clearly acted within his administrative prerogative, the promulgation of an administrative advisory in this area may well be thought to intrude on a core prerogative of the tenured faculty, to determine the qualifications and general eligibility of faculty candidates applying for promotion and/or tenure in their department.

In other words, the Provost’s opinion has a bearing on the shared governance responsibilities of CSU faculty. The Provost’s opinion, well considered as it may be, should not be construed as trumping the official responsibility of tenured department faculty to read the university manual and exercise their responsibilities to the best of their professional ability—irrespective of the Provost’s opinion. The job resides with the faculty. The Provost, of course, has a vital role in reviewing the procedural propriety of the faculty’s judgment. But this

<p>AAUP has recently released a new policy recommendation on the subject of Tenure and Teaching Intensive Appointments. The document can be downloaded at the following address: http://www.aaup.org/AAUP/comm/rep/teachertenure.htm</p> <p>Colorado Higher Education Report: Rep. Randy Fischer has provided this newly issued Draft Strategic Plan for Colorado Higher Education (PDF attached) for our perusal in advance of the November 19th Chapter meeting. This is hot off the press and should be useful in framing questions you may wish to put to Randy and John (Kefalas) at our meeting. A complete list of materials used by the Governor's Task Force on Higher Education may be found at: http://highered.colorado.gov/publications.html</p> <p>AAUP Chapter contact: Steve Mumme: smumme@colostate.edu Phone: 970-491-7428 campus Phone: 970-472-1322 home</p>	<p>is a case of different decision roles in a system of shared governance.</p> <p>To take just one example from the Provost's report—with advance apologies to the Provost—the Provost opines that more external references in favor of a candidate's promotion and tenure are generally to be desired, though the faculty manual is silent on this issue (see Section E of the Faculty Manual). Department faculties are sure to mull this question and may well legitimately resist requiring more external letters on grounds such letters are easily manipulated in the negative and a step removed from their own professional observations. Meaningful shared governance allows faculty to exercise such judgment without fear of retaliation or reprisal by university officials. It is not a question of the general correctness or righteousness of the Provost's judgment, which may be predicated on his understanding of professional trends and desirable practices of value for the university at large. Quite the contrary. At issue is the faculty's defined obligation to exercise their best professional judgment as disciplinary professionals and as court of first instance in matters of promotion and tenure. This judgment should be made independently, with academic freedom, guided by the faculty manual, driven by disciplinary norms and standards as determined by tenured department faculty.</p> <p>In sum, the defense of academic freedom remains extraordinarily relevant on our campus just as it is on campuses across the country. As AAUP members and academic faculty we must collectively remain vigilant of challenges to our freedom and steadfastly advance measures to buttress that freedom on campus.</p> <p>Sources:</p> <p><i>University of Wisconsin statement on academic freedom:</i> http://www.secfac.wisc.edu/senate/2010/0301/2186.pdf</p> <p><i>CSU Faculty and Administrative Professional Manual:</i> http://facultycouncil.colostate.edu/files/manual/table.html</p> <p><i>AAUP Resources:</i> http://www.aaup.org/AAUP/protectvoice/News/</p> <p><i>Promotion and Tenure at CSU (Provost Memo):</i> http://www.provost.colostate.edu/files/PTatCSU.pdf</p>