

NEWSLETTER

Colorado State University Chapter

American Association of University Professors (AAUP)

Academic Freedom for a Free Society, Spring 2016

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**A THANK YOU AND COMMENTS ON
SHARED GOVERNANCE**

From CSU AAUP Chapter President Tim
Gallagher

First, thank you to the panel members at the February 29 presentation sponsored by our CSU AAUP chapter on ownership of academic materials. Linda Schutjer from the Office of General Counsel presented information on legal and university policy related to this topic and on the new policy regarding research data. Greg Wells explained how the ownership of academic materials relates to activities of The Institute for Learning and Teaching (TILT). Scott Woods described how CSU Online deals with intellectual property ownership issues. The Executive Committee of the CSU AAUP chapter was very happy with the faculty turnout for this event, for the quality of the presentations and that of the questions presented by the attendees. Thank you to all who made this event a success.

In the rest of this message I'd like to address shared governance issues on this campus. The American Association of University Professors (AAUP) has been a strong voice for academic freedom for over a century. Perhaps you are familiar with the new research data policy that the administration has been working on for several months. This policy requires that research data be preserved so that it is available in response to any inquiries about findings by university researchers. The policy document is in many ways quite well done. Linda Schutjer, the intellectual property expert in the Office of

**THE CSU FACULTY COUNCIL
RESOLUTION ON BUDGET CUTS TO
ACADEMICS**

by Steven Shulman
CSU Professor of Economics
26 March 2016

Once again Colorado is threatening to cut public higher education. Because state tax revenues are up, TABOR dictates a tax rebate that, in the context of other pressures on the state budget, could force a \$20 million cut to the Colorado's public universities and colleges.

While the final outcome is still unknown, and there is hope that the state may be able to avoid a cut to public higher education this year, the possibility of another cut underscores the precarious situation of public higher education in Colorado.

Cuts in previous years were due to the economic turmoil created by the 2008 financial crisis. The possible cut next year takes place during a time of economic recovery. There seems to be no good time for public higher education in Colorado. State government cuts the higher education budget – already the lowest in the country – both when the economy is weak and when it is strong.

The projected hit to Colorado State University-Ft Collins is \$3.8 million. The reaction on campus has been a heated debate about how to pay for it.

General Counsel, was actively involved in the creation of this policy. I have a high regard for Linda's professional abilities and for her honesty. You can read this new data policy at <http://opc.prep.colostate.edu/policies-under-development/>. I am told that this draft is probably final, although the policy has not yet been formally approved. At the time of this writing this draft appears in the policies under development section of the website of the Office of Policy and Compliance and not in the approved policies section. I am also told it will go into the approved policies area of that website after final approval is given. It is not clear to me who will give this final approval, but I assume it will be the President, perhaps with advice from his Cabinet.

The question I have is, why hasn't this policy gone through Faculty Council as a change to the Academic Faculty and Administrative Professional Manual? It would fit perfectly in Section I, Academic and Legal Matters. Instead, like CSU's new anti-bullying policy, this new research data policy is being created outside the approval process of Faculty Council. I asked President Tony Frank at his January 29 faculty forum what future policies, in addition to the anti-bullying policy, which had just been uploaded to the website of the Office of Policy and Compliance, might be passed without going through Faculty Council. He did not answer my question and instead said that faculty should not be allowed to bully without sanction and that the policy is outside the Manual because it applies to all employees, not just faculty and APs. I, of course, never suggested that faculty should have free rein to bully. Also, Appendix 1 in the Manual dealing with sexual harassment applies "without limitation [to] students, faculty, employees, affiliates, visitors, and (where provided by law or contract) agents, contractors, subcontractors, and grantees of the University. All University business units, wherever located, are covered by this policy." Why did this policy go through Faculty Council and the Board of Governors when, like the anti-bullying policy, it

The administration first announced an across-the-board 2% cut that would have come almost entirely out of academics. But it is hard to justify cutting academics when resident tuition at CSU has risen 58% since 2010.

It is also hard to justify cutting academics when CSU has been dramatically increasing its spending on athletics, especially on the football program.

According to the NCAA, CSU provided over \$20 million in total subsidies to athletics in FY2014.

These subsidies were needed to offset the losses in CSU athletics. In FY2014, football lost \$6.9 million, men's basketball lost \$3.3 million, women's basketball lost \$2.0 million, and all other sports lost \$5.7 million. The subsidies made it possible for athletic spending to grow despite these huge losses.

In fact, the subsidies were so large that CSU athletics was actually able to save \$1.8 million that year. This naturally raised the question, why should CSU cut academics rather than athletics?

After all, academics are CSU's primary mission. One would think that the CSU administration would make every effort to protect academics from budget cuts.

Taking the \$3.8 million cut out of the athletic budget would still leave athletics with enormous subsidies. Yet the administration has dismissed calls to make athletics bear its fair share of the budget cuts. In effect it is protecting athletics at the expense of academics.

The frustration that many members of the faculty felt about this state of affairs led to the proposed Faculty Council Resolution on Budget Cuts to Academics. The Resolution was an attempt to inject faculty voice – a voice that had been entirely lacking up to this point – and genuine shared governance into

applies to more than just faculty and APs?

It appears that my concern about additional policies being adopted outside the Manual was warranted. The “all employees” argument doesn’t hold up here. It didn’t really hold up for the anti-bullying policy either, considering all who are covered by the sexual harassment policy in Appendix 1 of the Manual as quoted above. If you read the draft research data policy, you’ll see that it focuses primarily on principal investigators (PIs), who are almost always members of the faculty. Why, therefore, is this not going into the Faculty and AP Manual? I think I know the answer. It is easier to do these things by administrative fiat and to avoid the cumbersome process of getting Faculty Council approval. The faculty does not always rubber stamp what the administration wants. I’m beginning to see a trend. What is the next policy having a major impact on faculty to be posted on the Office of Policy and Compliance website and not into the Academic Faculty and Administrative Professional Manual? Since these policies are bypassing Faculty Council and the Manual amendment process they are also, by definition, bypassing the Board of Governors since all Manual changes require its approval before they are final. Our Manual has been declared by the university to have contractual force. The website of the national AAUP cites the 2003 Hulen v Yates lawsuit in federal court in which both parties stipulated this. To quote the AAUP website, “The parties agreed that the university’s faculty manual had contractual force.” What is the status of policies on the website of the Office of Policy and Compliance that are not in the Manual?

Why do we continue to have a Faculty Council if it is to be bypassed on policies directly related to a core activities of the faculty such as research? What is next? If we continue to remain silent as the website of the Office of Policy and Compliance becomes a shadow Manual, we as a faculty deserve what we are getting. It is easier for the administration to impose policies from the top down instead of taking a shared governance

this critical decision as it was being made this spring.

The Resolution did not originate in Faculty Council. Instead, it was a grass-roots effort led by the eight department chairs who sponsored it. It was widely distributed and discussed on campus. Numerous expressions of support were received by the Resolution’s sponsors. The AAUP chapter endorsed it. The math department endorsed it. It clearly had struck a chord among CSU faculty members.

Nonetheless, the Faculty Council leadership just as clearly opposed it. Unfortunately, CSU Faculty Council tends to function as another wing of the administration. The administration did not want the faculty to debate their plan to cut academics. The Faculty Council leadership acted as its surrogate and refused to approve putting the Resolution before the Faculty Council membership.

The only option left to the supporters of the Resolution was to make a motion to suspend the rules from the floor in order to add the Resolution to Faculty Council agenda without the approval of the Faculty Council leadership. This would require a two-thirds vote in favor, a high bar to clear.

Again the Faculty Council leadership did its best to squash the Resolution. They refused to allow the Faculty Council member who made the motion to suspend the rules to explain it.

They did not give the Faculty Council member who made the motion an opportunity to request a secret ballot. Instead they required that Faculty Council members register their votes by standing.

Their intent was clearly to intimidate the membership into staying in their seats. That would have been the safe move given that the CSU president, provost and other top administrators were looking down on the

approach, including approval by Faculty Council. Talking to faculty members about these matters is not enough. If the policy applies to a core faculty activity, it should go into our Manual after approval by Faculty Council and the Board of Governors.

HOW TO ORGANIZE A UNION AT COLORADO STATE AND WHY IT'S NEEDED

by Ray Hogler, Professor, Management

Colorado is usually regarded as one of the small minority of states without a public employee collective bargaining law. That view is only partly correct. Firefighters in this state have rights to organize and bargain under the "Colorado Firefighter Safety Act" enacted in 2013. State executive branch employees are authorized to engage in partnership agreements through an executive order issued by former governor Bill Ritter in 2006. Other public employees, including faculty at Colorado State University, are afforded protections to engage in concerted activity under a state law known as The Industrial Disputes Act (IDA) of 1915. Fortunately for many Colorado public workers, the IDA has survived changes in federal law, acrimonious state political battles, and legal desuetude, and it still offers rights to employees to gain an effective workplace voice.

When Senator Robert Wagner drafted the National Labor Relations Act (NLRA) in 1935, he excluded public sector employment from the process of collective bargaining under the statute. His decision was predicated in part on the constitutional separation of government power and in part on the political nature of public work, which historically discouraged unionization as inconsistent with notions of sovereignty. The basic structure of the NLRA remains unchanged; and, in consequence, public employees have only the rights available to them under state or

membership from the back of the lecture hall where the meeting was being held.

Nonetheless, the large majority of Faculty Council members stood to vote in favor of suspending the rules and discussing the Resolution. The effort to intimidate the Faculty Council membership had clearly backfired. In the end, the motion fell short of two-thirds by just three votes.

An important reason for the large vote in favor was the active support of the AAUP chapter. Chapter members passed out leaflets to everyone entering the meeting. The leaflets explained that the purpose of suspending the rules was to give Faculty Council members an opportunity to discuss the Resolution and express faculty opinion on the budget cuts.

The Resolution and information about the budget cuts were also emailed to Faculty Council members prior to the meeting. These steps ensured that Faculty Council members were not derailed by the refusal of the Faculty Council leadership to allow an explanation of the motion to suspend the rules.

Although the vote to consider the Resolution was narrowly defeated, the sight of so many Faculty Council members standing up for their right to discuss the Resolution, and more broadly for meaningful shared governance, was impressive and even inspiring.

The Resolution will continue to be circulated around campus and discussed by faculty and students. The issues it raises will be with us in one form or another for a long time to come. For example, it is hardly obvious why students and their families should put up with large tuition increases every year when spending on academics is being frozen or cut.

Intercollegiate football is a huge money loser at almost every college and university outside of the top ten. Almost every college and university with pretensions to a big-time

municipal law. In the absence of enabling legislation, unions are regulated by uncertain and opaque common law doctrine.

After the passage of the NLRA and its amendments in the 1947 Taft-Hartley Act, most legal experts thought that the IDA had been preempted by federal statutes. The Colorado Supreme Court decided otherwise in the case of *Martin v. Montezuma-Cortez School District* in 1992. A group of teachers in Cortez went on strike to demand recognition of their union, and the school board fired them. Reversing the Colorado Court of Appeals decision in favor of the school board, the Supreme Court ruled that the strike was protected under state statutes and remanded the case for appropriate remedies. The precedent stands as the definitive interpretation to date of the IDA.

The Court's opinion began with the observation that from the IDA's inception, the term "employer" has included the state, local governments, and all public institutions. The meaning of "employee" likewise was broad and included all persons "in the service of the state or of any county, city, town, irrigation, or school district." Under the statutory scheme, employees were required to give notice to the Industrial Commission before engaging in a strike or lockout. The Commission had jurisdiction to investigate disputes and to engage in arbitration of disagreements. If it declined to exercise jurisdiction, employees could legally strike. Sections 8-1-125 and 126 of the Colorado statutes presently define the authority of the state Division of Labor and Employment (DLE) and the prerequisites to a work stoppage.

According to the terms of Section 125, the Director of the DLE may exercise jurisdiction over a dispute between an employer and employees with the exception of the state classified personnel system. Jurisdiction is invoked by labor impasses which affect "conditions of employment, or with respect to wages or hours," and under circumstances in which "the employer and the employee request

football program has to subsidize it with resources that would otherwise flow to academics.

Faculty account for almost all of the university's revenues by bringing in tuition dollars for the courses they teach and external funding for the research they conduct. Given the sharp reductions in state support, public universities like CSU cannot afford to waste their resources on an enormously expensive, peripheral enterprise like football.

The glaring contradiction of huge subsidies to football and budget cuts to academics is a painful reminder of this lesson. Spending on football makes a university weaker. Spending on academics makes it stronger.

Here is the full text of the resolution:

RESOLUTION ON BUDGET CUTS TO ACADEMICS

*Submitted to Faculty Council by the following
Department Chairs/Heads:*

*Jean Opsomer, Professor and Chair,
Department of Statistics*

*Steven Shulman, Professor and Chair,
Department of Economics*

*Mica Glantz, Professor and Chair,
Department of Anthropology*

*Mary Vogl, Associate Professor and Chair,
Department of Foreign Languages and
Literatures*

*Irene Vernon, Professor and Chair,
Department of Ethnic Studies*

*Ken Wilson, Professor and Head, Department
of Fish, Wildlife and Conservation Biology*

*Jac Nickoloff, Professor and Head,
Department of Environmental and
Radiological Health Sciences*

*Susan James, Professor and Head,
Department of Mechanical Engineering*

such intervention or when the dispute, as determined by the executive director, affects the public interest.” The state’s authority to engage in the dispute “shall continue until after the final hearing of such dispute and the entry of the final award therein or until said director shall enter an order disposing of or terminating such jurisdiction.” Section 123 of the IDA provides for mediation, conciliation, and arbitration of disagreements arising under a “written agreement” between the parties. According to the Tenth Circuit Court of Appeals in the case of *Hulen v. Yates*, CSU’s Faculty Manual is a written contract between faculty and the administration.

To illustrate how the statute could be used to make meaningful changes in administrative practices at this university, consider the inadequate grievance procedures now in place and how they could be given some real consequence. Assume Faculty Council added new provisions to the Manual requiring neutral third-party arbitration over the application and interpretation of its terms as a binding contract. That process would give aggrieved faculty a mechanism to enforce their rights negotiated through the recognized representatives of all faculty. The administration would undoubtedly reject that proposal to retain its present discretion allowing it to overturn any decision of a grievance panel with which it disagrees – or, as the historical evidence shows, any decision which it loses and an aggrieved employee wins.

Members of Faculty Council could then vote to petition the DLE for intervention to resolve the disagreement. The statute contemplates a joint petition, but if the administration declined to participate, the faculty could assert that the matter was one “affecting the public interest” and move ahead on that basis. The DLE is obligated to “proceed with reasonable diligence in hearing all disputes and shall render a final award or decision therein without unnecessary delay.” If the final award upheld the demand for arbitration, the administration could comply or not. But, if not, the statute further specifies that nothing shall

WHEREAS central administration has mandated a 2% reallocation from each college to compensate for a \$3.8 million drop in state funding;

WHEREAS this reallocation takes funds away from instruction, research and other expenditures by the colleges that support the educational mission of Colorado State University;

WHEREAS central administration has other options to adjust to the drop in state support, in particular by reducing subsidies to intercollegiate athletics;

WHEREAS intercollegiate athletics lost an enormous amount of money in FY2014, including \$6.9 million lost by football, \$3.3 million lost by men’s basketball, \$2.0 million lost by women’s basketball, and \$5.7 million lost by other sports;*

WHEREAS intercollegiate athletics received \$20.1 million in university subsidies in FY2014 to compensate for these losses and to increase its spending, including \$5.3 million in student fees, \$12.4 million in direct subsidies and \$2.4 million in indirect subsidies;

WHEREAS athletic subsidies would remain substantial even if they were reduced by \$3.8 million;

WHEREAS faculty generate the large majority of Colorado State University revenues, including tuition for the courses they teach and external funding for the research they conduct;

WHEREAS it is better to cut activities that create financial losses rather than activities that create financial gains;

WHEREAS education is a higher priority than athletics to Colorado State University;

BE IT RESOLVED that Faculty Council opposes the reallocation and supports the alternative of a reduction in athletic subsidies as the means of adjusting to the drop in state

prevent employees “from going on strike in respect to any dispute after the same has been duly investigated, heard, or arbitrated, under the provisions of this article.”

What could the administration do in the event a sizeable number of faculty, including contingent faculty, engaged in a work stoppage? The *Martin* case offers no guidance on this point, but eighty years of industrial relations doctrine suggests some answers. Under the NLRA, employers are not permitted to fire strikers, who remain employees under the law. Strikers can be temporarily or permanently replaced, and they are not entitled to be paid while on strike. After the strike ends, strikers must be offered reinstatement as suitable positions become available. The university might try to terminate “contract” teachers, but the administration characterizes those positions as “employment at will” with no contract rights against the institution. In short, any classroom teacher who decided to walk the picket line would have some legal protections. Given the fact that classes are already overcrowded and contingent faculty are increasingly hard to hire at poverty-level wages, even a minority of striking faculty could probably shut down the university.

What then? The administration could dig itself out of a public relations disaster merely by being reasonable. If we have a grievance procedure available for faculty, it is reasonable to expect one that works. When an aggrieved faculty member presents, and finally wins, a grievance, the administration should be bound by it or face real costs. It is unfair to force an employee to comply with lengthy and complicated efforts to vindicate her rights through a grievance hearing, only to be faced with administrative recalcitrance. And under the current rules, a faculty member must exhaust all available remedies against the university before seeking litigation.

The short and simple solution to the lack of

support.

*All figures in this Resolution are taken from the table titled Intercollegiate Athletics Department Statement of Revenues and Expenses on page 10 of the report by state auditors titled “Colorado State University Independent Accountants’ Report on Application of Agreed-Upon Procedures (NCAA Procedures), Year Ended June 30, 2014.”

SHARED GOVERNANCE REDUX

by Steve Mumme, Political Science

In case you missed it, last year, 2015, was *Shared Governance Year* at Colorado State. A good deal of ink was spilled extolling shared governance and celebrating a century of shared governance nationwide. Various university worthies opined on the subject (check it out: <http://source.colostate.edu/a-century-of-shared-governance/>). The choice of year was no coincidence, the centenary of the CSU Faculty Council and, no coincidence either, the centenary of the AAUP, though none of the worthies seemed much aware of that fact.

In my last disquisition on this topic (“Kumbaya on Shared Governance”, *AAUP-CSU Newsletter*, Fall 2015) I observed that the on-campus discourse on shared governance that centers around such edifying ideas as engagement, partnership, and collaboration distorts as much as it clarifies. When CSU’s public relations machine says “shared governance is a collaborative venture involving administrators, faculty, staff and students who share in key decision-making processes” (Jeraki, *Source*, September 14, 2015), citing the *Chronicle of Higher Education* as their authority,¹ they are half

¹ . The *Source’s* source appears to be Idaho State University Gary Olson’s 2009 opinion piece in The Chronicle of Higher Education, July 23, 2009 which, if so, should not be taken at the view of The Chronicle.

meaningful faculty voice is to demand procedures that curtail arbitrary administrative power at CSU. Colorado law provides a means for achieving that goal. For further information about the Colorado statutes and the *Martin* case, visit the AAUP-Colorado State website at <https://aaupcsu.files.wordpress.com/2016/04/hoglerpublicstrikes.pdf>. Further, the AAUP Executive Board invites any representative of the administration to publicly debate the merits of the existing dispute resolution procedures versus fair and impartial arbitration.

COLORADO CONFERENCE REPORT

- The Conference held its annual conference in Louisville, Colorado on December 5, 2015 and was pleased to have **Dr. Hank Reichman**, AAUP 1st Vice-President, as guest speaker, addressing contemporary challenges to academic freedom.
- The Conference welcomes a new chapter, **Adams State University** to the Colorado AAUP. Jonathan Rees, Ross McConnell, and Steve Mumme visited with Adams State faculty in Alamosa on March 5, 2016.
- The Conference welcomes the formation of the **University of Wyoming Faculty Association**, officially inaugurated on March 23, 2015. The UWFA is an AAUP chapter and our partner organization in Wyoming. Steve Mumme was pleased to represent the Colorado Conference at UWFA's inaugural meeting in Laramie. The Colorado Conference will be looking into the opportunity to have the UWFA join our conference in future.
- The Colorado Conference issued advocacy letters in support of **Bruce Montgomery** at the University of

right but neglect the important division of labor and the vital role of faculty at the core of the educational enterprise.

At the serious risk of being repetitive, the orthodox view of shared governance is found in the AAUP's October 1966 "**Statement on Government of Colleges and Universities**" jointly endorsed with Association of Governing Boards of Universities and Colleges and the American Council on Education. The Statement is clear:

"The variety and complexity of the tasks performed by institutions of higher education produce an inescapable interdependence among governing boards, administration, faculty, students, and others. The relationship calls for adequate communications among these components, and full opportunity for appropriate joint planning and effort" (Redbook, 11th ed., 136).

Distinct roles and tasks assign to the board, the president, and the faculty of academic institutions. As for the faculty, the Statement's key sentences are:

"The faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instructions, research, faculty status, and those aspects of student life which related to the educational process. . . Faculty status and related matters are primarily a faculty responsibility; this area includes appointments, reappointments, decisions not to reappoint, promotions, the granting of

Idaho State, for what it's worth, ended up on the AAUP censure list in 2011 for violating the AAUP's conception of shared governance.

Colorado and **Sherry Oaks** at Front Range Community College in Westminster.

- AAUP's analysis and critique of the **Colorado Community College System's** adjunct initiative, a copy of the AAUP Adjunct Index, and a list of AAUP concerns were presented to the CCCS Board meeting on February 10, 2016. This is the first time in CCCS history that adjuncts have addressed the CCCS Board, which remains a highly insular and secretive body.
- We are proud to have **Caprice Lawless**, Vice-President for Community College Affairs for the Conference and head of our community college adjunct faculty reform campaign, elected to the post of 2nd Vice-President of the National AAUP.
- Upcoming: The Colorado Conference Executive Committee is planning a **Symposium on Academic Freedom** to be held, hopefully, sometime this fall (2016) and tentatively slated to be held on the University of Colorado campus at Boulder. Look for a further announcement this summer.
- Secretary/Treasurer: Longtime Secretary-Treasurer **Suzanne Hudson** (CU Boulder) is stepping down after 7 years of service to the Colorado Conference. The Conference expresses its profound appreciation for her many years of service. Any AAUP member interested in assisting the conference in this role may contact Steve Mumme for further information (stephen.mumme@colostate.edu).



tenure, and dismissal” (Redbook, 11th ed., 139).

And there is more:

“The faculty sets the requirements for the degrees offered in course, determines when the requirements have been met, and authorizes the president and the board to grant the degrees thus achieved. . . The faculty should actively participate in the determination of policies and procedures governing salary increases . . .” (Redbook. 11th ed., 139).

As for the president as his role pertains to the faculty,

“It is the duty of the President to see to it that the standards and procedures in operational use within the college or university conform to the policy established by the governing board and to the standards of sound academic practice. It is also incumbent on the president to ensure that faculty views, including dissenting views, are presented to the board in those areas and on those issues where responsibilities are shared” (Redbook. 11th ed., 138).

In short, shared governance entails a marked division of labor with a certain set of priorities that boards, presidents, and provosts must respect if their decisions are to enjoy legitimacy in American higher education.

So, how do things really look at Colorado State? To take the administration at its word, and I do, there is a commitment to shared governance along the aforementioned

Join the AAUP

Joining the AAUP says that you're concerned about academic freedom, and about the way that basic freedom protects your teaching and research. It says that participating in faculty governance is important to you, and that you are concerned about career issues, tenure, and the overuse and exploitation of contingent faculty. By joining, tenure and non-tenure track faculty members, academic professionals, and graduate students help to shape the future of our profession and proclaim their dedication to the education community. In addition, there are many practical benefits--discounts, insurance programs, financial incentives--available to AAUP members. Join your colleagues today to promote and protect your profession.

To join AAUP, go to the national website at AAUP.org and click on "Membership."

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Visit our new Facebook page:

<https://www.facebook.com/CSUAAUP?fref=ts>
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"collaborative venture" lines. In those areas of classic faculty responsibility CSU's recent administrators have generally conducted themselves well. But there have been challenges and areas of faculty concern: for example, the development of instructional delivery platforms, online programs, and the growing influence of the administrative enterprise for teaching and learning on campus. Did I mention INTO? The intrusion of federal mandates and guidelines is also worrisome, for it is evident that administrators may have embraced some of these requirements rather uncritically and without the breadth of faculty consideration that is warranted. Procedurally, the ex-officio presence of ranking administrators in Faculty Council committees has the potential to stifle the faculty's independent voice, diminishing its potential influence within its classic policy domain.

The most visible recent controversies do not inhabit this classic domain, but are found areas in which the president traditionally and rightly has the lead in determinations of university policy, with the expectation that the faculty will be "jointly" involved, especially where established university policies developed in consultation with the faculty and approved by the board require the faculty to be involved. The controversy over the development of the new stadium falls in this category because Faculty Council is expected to advise the president on matters of university finance and to work with the president and board as guardians of the institution's financial health, particularly as it affects the academic (not entertainment) mission of the university. The dispute over the procedures and implementation of university grievance policy, including the debate over retaliation protection, is another issue in this domain. Other issues, such as administrative promulgation of disciplinary rules in the absence of faculty voice—the recent bullying rule comes to mind—directly

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AAUP state conference news:

<http://aaupcolorado.org>

engage differences between faculty and administration as to what should be decided jointly, or not.

In sum, the status of shared governance at CSU is certainly a work in progress where the faculty is concerned. As a long-time member of AAUP I certainly join the Provost in hoping the future of shared governance at CSU moves forward as “an example to the rest of the country of how shared governance can work and work well.” But I know it will take more than rhetoric to make it so.

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