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ENVISIONING A REVITALIZED NON-TENURE-TRACK FACULTY

By Steve Mumme,
Co-President, Colorado Council of the AAUP

Last summer, in June when many faculty were less absorbed in campus affairs, the Committee on Non-Tenure Track Faculty (CoNTTF) delivered a remarkable 22 page plus appendices (33 pages) report to the Provost entitled *Re-envisioning Faculty Appointments*. CoNTTF challenged the administration to respond to its recommendations by December 16, 2016. That process has gone forward. These proposals as revised are now awaiting Faculty Council's review and recommendation.

The 2016-2017 edition of *CSU InFact* reports 765 faculty off the tenure track a figure that does not include a number of specialized temporary positions at the university. These faculty, many of whom have been with their units for years, endure great uncertainty in both appointments and assignments. Some progress has been made in addressing their needs but many problems endure.

CoNTTF's well-reasoned brief, based on years of experience and two years of data gathering and discussions, advanced ten concrete reforms which adopted would regularize the system of NTTF

employment and resolve. In brief these were:

1. Advancing a vested career path for teaching appointments inclusive of access to grievance and due process protections.
2. Providing a system of oversight to ensure implementation of this career path.
3. Guaranteeing NTT faculty due process via a centralized system that "supersedes" departments and colleges.
4. Providing centralized funding for vested faculty teaching appointments.
5. Hiring done by an ethical and legal process under OEO supervision.
6. NTTF teaching to be regularly and systematically evaluated.
7. Providing all necessary pedagogical resources and professional development support to NTT faculty.
8. Clear and concise professional offer letters given to NTTF teachers.
9. Mandating NTTF's with Senior Teaching Appointments be eligible to participate in the unit's salary exercise.

10. Full incorporation with voting rights in faculty governance at the unit and university for all teaching faculty.

The thrust of the CoNTTF's work these past two years aims at eliminating the current professional/occupational precarity of so called "temporary" or "adjunct" or "contingent" faculty at Colorado State University by establishing process of extended contracts and regularized professional status for up to 80 percent of the NTT faculty on campus. Such reform is consistent with the spirit and tenor of adjunct faculty reform measures undertaken at leading universities across the country. The proposed changes build on the Senior Teaching Appointment reforms implemented several years ago after passage of AAUP sponsored legislation (*HB12-1144 - Employment Contracts Non-tenure-track Professors*) by the Colorado General Assembly.

The CoNTTF report, as revised in its latest Action Plan recommends establishing three new types of appointments to meet the needs of current faculty off the tenure track, to include 1) A *Professor of Practice* career track teaching appointment for faculty appointments of 50-95% teaching leading to vested (non-tenure) status with clear procedures for promotion in rank; 2) *Adjunct Faculty* with appointments of 49% teaching or less; and 3) *Temporary Faculty* with short-term appointments. Most (up to 80 percent) of NTT faculty are expected to opt for Professor of Practice appointments.

Complementing the ask for vested, reliable long-term professional appointments is the ask for regularization of status—full incorporation into the decisional life of departments in matters bearing on their professional work and standing. Such reform would bring these faculty out of the shadows of their departments, enabling many to share more fully in the governance of the university.

The CoNTTF understands these reforms come with a cost and that they challenge established practices and assumptions within the university. Finding the funding is perhaps the first challenge but changing faculty attitudes towards NTTF may be the larger impediment. The AAUP, however, has long argued that such changes are needed. At present, as documented by *CSU InFact*, we have 765 faculty that have no academic freedom on campus, more when we add others with teaching and research duties into the mix. Tenured and tenure-track faculty cannot afford to take this lightly as our own privileges are only as good as those of our colleagues.

The CoNTTF has done a great service by placing these well documented and detailed arguments on the University's agenda. Specific changes to Sections C and E of the Manual implementing these recommendations will be discussed at the Faculty Council's March 7 session. AAUP encourages all faculty to read the report and when they are done to encourage their Faculty Council representatives and the Provost to act favorably on CoNTTF's recommendations.

THE UNIVERSITY PRESIDENT'S DILEMMA

By Steve Mumme

Knowledgeable observers of the higher education landscape will have noticed the dilemma that university presidents now suffer in the face of the Trump administration's recent executive orders banning travel from seven predominantly Muslim nations. The U.S. President's discriminatory hard line on immigration, other inflammatory utterances targeting foreign nationals, criticism of the media and factual indifference has put university leaders in the hot seat, juggling their charge to defend academic freedom and advance the life of the mind—to rise above partisanship, promote civility and maintain a campus environment conducive to scholarly dialogue—with the need to respect if not please university stakeholders and avoid offenses that would compromise access to federal funds and alumni support.

These tensions are recently seen in various letters and public statements by university presidents addressing the Trump administration's discriminatory actions. The latest missive, by Donald J. Farish, president of Roger Williams University in Bristol, Rhode Island takes to task those university presidents that have directly criticized The President, singling out two of his peers for special criticism, Macalester University's Brian Rosenberg and Trinity Washington University's Patricia McGuire. Rosenberg's widely circulated letter famously called out Trump's executive order as "cowardly and cruel". President McGuire fingered the President's advisor, Kellyanne Conway, for "facilitating the manipulation of facts" among other sins.

In his March 3, 2017 Inside Higher Education article, Farish takes these views to task arguing that with freedom of speech comes a "responsibility to recognize that, however much we [university presidents] want to speak only for ourselves, we nevertheless do so with the title 'President' in front of our names—which means our comments will be linked to our campus." University presidents, says Farish, should avoid "speak[ing] out in judgmental terms about the wisdom of administrative action because we will be seen as effectively endeavoring to end the debate before it begins." He continues, "America has not ceded to academics the right to decide unilaterally on the wisdom or folly of particular political actions—and we should stop acting as if they have." Instead, presidents should advance dialogue and debate, creating forums for reasoned discussion of controversial issues. Controversial issues are "learning moments . . . for our students—not soapboxes from which we [university presidents] can proclaim our personal opinions."

These views fall fairly close to the posture our CSU leadership team has adopted in response to recent events and they would, I believe, capture the sentiments of many faculty on campus. One of the earliest expressions from the Provost's Office was the "Principles of Community" statement which has been widely disseminated and posted in every unit on campus. The statement is well in line with Farish's admonition for university leadership. Tony Frank has commendably sought to offer assurances to students and faculty and encourage every member of the CSU community to engage in thoughtful and constructive dialogue on the contentious issues facing our community, the state, and the nation at large.

And yet, this stance of reasoned neutrality will and should strike some faculty as fundamentally insufficient to the challenge universities now face. It bears more than a family resemblance to the well -recognized problem that philosopher Herbert Marcuse once labeled as "repressive tolerance". To quote a few lines of Marcuse's famous essay,

"The conclusion reached is that the realization of the objective of tolerance would call for intolerance towards prevailing policies, attitudes, opinion, and the extension of tolerance to policies, attitudes, and opinions which are outlawed or suppressed."

"Tolerance [as an end in itself] strengthens the tyranny of the majority . . . Tolerance is turned from an active to a passive state, from practice to non-practice: *laissez-faire* the constituted authorities."

"Tolerance toward that which is radically evil now appears as good because it serves the cohesion of the whole on the road to affluence or more affluence."

Marcuse's point, of course, is that practiced neutrality is inherently problematic, a moral retreat from actions that must be taken to achieve a just society. Anent Farish's dictum, Marcuse is sure to say university presidents should not be exonerated, or off the hook, by simply abjuring discrimination on campus and positioning the university as a neutral arena for reasoned debate. That is not enough.

The fact remains that university leaders, just as do citizens, have a duty to resist injustice. Passivity is not a morally credible option. The president's dilemma should be understood not as Farish frames it, as advancing the pursuit of truth and justice while avoiding offense, but as advancing the pursuit of truth and justice no matter

the offense. Speaking out on the most compelling issues confronting society, on climate change, veracity, racism, or a rush to war is indeed a university president's responsibility. Call it the civic obligation of leadership. On these issues a university president has the opportunity to leverage her or his scholarly distinction to advance the greater good.

Resolving the president's dilemma requires understanding that the duty to provide a safe haven, to encourage dialogue and reasoned debate while resisting discrimination is not inherently contradictory or diminished by speaking out. The two postures are not incompatible as Farish claims; indeed, they are complementary. Though presidential voice may offend some, and not in the moment change many minds, an opinion grounded in reason and fact represents the best of the life of the mind. It reminds students that certain standards exist and must be sustained for the sake of reason and the betterment of society. And if that means calling out demonstrable mendacity and injustice, then that, truly, is the greater task at hand.*

*We can learn a lot from the civil rights movement in this respect. I'm reminded that Dr. Lucius Pitts at Miles College in Alabama regularly condemned racial injustice and Dr. Adam Beittel of Tougaloo College in Mississippi regularly bailed his students out of jail when they were incarcerated for protesting segregation in Mississippi. Both are venerated today for their wisdom and their courage.

COLORADO CONFERENCE UPDATE

- **AAUP Committee A:** The AAUP issued its draft report on its December 2016 investigation of the Community College of Aurora's dismissal of adjunct professor Nathaniel Bork. The investigative team found that Bork was dismissed without adequate due process; that his dismissal was most likely retaliation for drafting a letter to the Higher Learning Commission raising questions related to the efficacy of CCA's Gateway to Success curriculum; that Bork's case exposes the absence of procedural protections for adjunct faculty in the Colorado Community College System; and that CCA's practices on curriculum design and implementation limit the faculty's collective academic freedom. The official report will be presented to the AAUP membership for final approval and action at the AAUP's national conference in June, 2017.
- **Academic Freedom Symposium scheduled.** The Colorado Conference's special symposium on academic freedom in Colorado is scheduled for Saturday, April 29. Featured speakers include Alice Dreger, author of *Galileo's Middle Finger*, and Ward Churchill, controversial activist and author (*the Justice of Roosting Chickens*) fired by CU Boulder in 2007 on allegations of research misconduct, charges that were rejected by a jury in 2009.
- **Colorado School of Mines.** Faculty at the Colorado School of Mines on February 22, 2017 agreed to establish an AAUP chapter on their campus.

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AAUP State Conference News: <http://aaupcolorado.org>

HOW TO JOIN THE AAUP

To join the AAUP and our CSU chapter, sign up at the national AAUP site: <http://aaup.org>. They will notify our chapter and we will be in touch.

