



American Association of University Professors Michigan Conference

WHO WILL PROTECT THE PROFESSORiate?



From the Desk of
the President

By Joel Russell

For over ninety years the AAUP has been the primary defender of academic freedom, tenure and shared

governance for all faculty in American colleges and universities. In its 1940 statement and subsequent additions, the AAUP provided the operational definitions of these core concepts establishing the rights and responsibilities of faculty in American higher education. The AAUP's Washington office has an outstanding professional staff of attorneys with many years of experience investigating and solving academic freedom and tenure issues faced by any faculty member whether or not they belong to the AAUP.

This service to the entire professoriate needs to be supported by a much higher percentage of those for whom it provides the basis of their employment. The percentage of faculty contributing dues to maintain this vital service along with others such as the informative articles in *Academe*, lobbying efforts on issues affecting higher education, and filing of amicus briefs in critical court cases must be expanded. Most faculty willing belong to their disciplinary associations. They see this as vital to their careers with such memberships providing access to professional meetings and publication venues. All faculty should feel an obligation to help support the one professional association that serves every faculty member, instead of reaching out to the AAUP only in time of crisis. The organization that has established the foundation for the American professoriate provides

as critical a service to one's professional being as do disciplinary associations.

In the last issue I addressed the need for faculty in universities with gubernatorial appointed governing board to work to see that these boards contain persons with knowledge of the institutions they govern and not merely extensive business expertise. Boards lacking such members may not understand the basis and need for academic freedom and tenure nor the benefits from shared governance. Such boards tend to hire administrators with similar management philosophies rather than academic orientations. These administrators will frequently bypass the established faculty governance bodies and set up their own task forces to address campus issues and staffing these task forces with faculty they choose.

The AAUP can hold administrations accountable to actions that violate our basic principles, but it will become increasingly less effect in these actions without broader support from the entire professoriate. If you receive this newsletter, you probably are currently an AAUP member. I urge each of you to talk with any colleagues who are not currently members and impress upon them the benefits of membership to support the professoriate and not merely themselves. Please also consider making a financial contribution for the betterment of the AAUP above and beyond your normal dues via the "Campaign for the Common Good" as discussed in *Academe*. This campaign seeks to establish an endowment that would permit a substantial decrease in national dues to see if this would produce a subsequent membership growth to offset the dollars lost.

STUCK IN LIMBO

The EMU Faculty Must Wait for Fact-Finding to Conclude Before Negotiations Can Resume

By Howard Bunsis, Chapter President

So much has happened, and so much has yet to occur. Here are the highlights:

Our two-year contract expired on 8/31/2006, and negotiations began on June 9th. Very little progress was made all summer. On 8/31/2006, the EMU-AAUP rejected the 2% annual raise that was on the table, as it also included an additional 3% of salary hit for health care in the first year. Therefore, we were offered a pay cut in that first year, and the faculty voted overwhelmingly to go on strike.



Classes did not begin until September 6th, and negotiations continued until that time, even though we were on strike. We picketed around the clock, blocking deliveries and other entrances to campus during that time.

At 10PM on September 5th, the administration made their "last and best offer," which was a 3% annual raise along with the 3% health care hit. Instead of continuing to bargain through the night, the administration literally ran (they sprinted from the room away from our picketers) from the negotiating table, and the EMU-AAUP continued to strike.

From the first day of classes on Wednesday, September 6th, until Monday, Sept 11th, over 90% of the faculty supported our strike. Faculty picketed all through the day and night, and in several colleges, no classes taught by faculty were held. In addition, we received tremendous student support, as there were numerous rallies and petitions that our students participated in.

On Tuesday, September 12th, we decided to suspend the strike and go back to the classroom. This was a controversial decision, as many faculty wanted to remain on strike. However, many

wanted to try negotiations while we were in class. Unfortunately, in the 24-hour period of those negotiations, the administration did not put one additional dollar on the table from where they were on September 5th. In fact, considering the changes made to their health care proposal, they actually offered us less money than when the negotiations started. Over 3 years, they were offering us about 2.4% per year, after considering new health care charges. We were asking for 3.4% per year, after considering the new health care give-backs that the AAUP proposed.

On Wednesday, September 13th, the faculty voted overwhelmingly to go to fact-finding.

This ended the strike, and we have been in the classroom ever since. The fact-finding process is run by MERC (Michigan Employment Relations Commission), and as of late October, both sides have yet to agree to the identity of the fact finder. After reviewing dozens of fact finding reports and processes, it is clear that the entire process is likely to take 6 to 7 months. Some have taken even longer. We are working under terms of our old contract, which means:

- o We are not getting a raise
- o We are not paying any premiums for health care. Our proposals did agree to premium contributions, but not as large as the administration's premiums. However, since there is no new contract, we are not paying any premiums or deductibles
- o We still have a choice of 3 plans. Under the administration health care proposal, the choice of plans will eventually be eliminated. We did not agree to the elimination of choice (one PPO, one HMO, one traditional indemnity).

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THE SUMMER HEAT

Faculty Defend their identity as Governing Boards Flex Their Might

By Jeffrey Lee

“Who do they think we are?” It is a statement bound in frustration. From a faculty member, the source of frustration could come from a myriad of sources – an impatient or disgruntled student, a department chair asking for volunteers from an already overworked faculty, a president or provost dictating new university policy, or even a loved one seeking a little bit more quality time. All very likely, but this summer those words were vented in frustration over governing boards. Five of our chapters were involved in contract negotiations this summer. All but one settled before the start of the fall semester. Eastern Michigan University remains without a contract, working under the expired deal until non-binding fact-finding is completed. The Wayne State University and Kalamazoo Valley Community College negotiations progressed smoothly as faculty and administration worked together to address one another’s needs and produce what will hopefully be a mutually beneficial package. The three others did not go as smoothly.

It becomes hard to meaningfully negotiate when the outcome has been predetermined. That was the situation at Oakland. Despite creative attempts by the faculty to bridge the differences in salary, retirement benefits and travel funding, the administration gave very little. In fact, their counteroffers were frequently just the same dollar value repackaged in different ways. “They bargained from a position the Board set in June,” stated Oakland negotiating team member and Michigan Conference President Joel Russell. This roadblock did not, however, hinder the creativity of the Oakland Faculty. To settle before the start of classes, they demanded, and received, a variety of non-economic concessions including increased transparency of the requirements to achieve tenure. “They had no more money to give,” said chief negotiator Mike Latcha. Hamstrung on dollars, the administration team conceded in the only areas available.

Plan for the inevitable – a slogan well used by insurance companies and financial planners can certainly be applied to the Northern Michigan University faculty’s negotiating team. At NMU, a chief

concern was the compression and even inversion of faculty salaries. For chief negotiator Ray Ventre, work in this issue began in the fall of 2003, the start of the last contract. With cooperation from the Provost’s Office, a joint task force was established to study compression and recommend solutions. In anticipation, the Provost began setting aside money to address the issue. By the start of contract negotiations, a framework had already been established to distribute the money. “This worked because that money was part of salary negotiations. It came from the Provost’s Office. We could have never gotten that dollar amount in across the board raises,” commented Ventre.

Sadly, even creativity and planning cannot resolve every potential impasse. The Eastern Michigan University faculty and administration remain in a bitter contract struggle. By mid-August, few tentative agreements had been made and the administration had meaningfully discussed only a few non-economic issues. With less than three weeks remaining on the current contract, salary was discussed for the first time. It was also at this point that the university first began sharing health care data (information regarding past claims and future costs had already been shared with both sides by BlueCross BlueShield). As the end of the contract approached, the faculty union overwhelmingly authorized a strike. At 10PM on September 5th, the day before classes began, the administration walked out of negotiations. Its ultimatum, that negotiations would not continue while the faculty was on strike, contradicts a professional tradition of faculty input by demanding the faculty accept administration dictated working conditions. Who is behind this bold tactic? EMU union president Howard Bunsis believes “these negotiations are being run by the board, specifically Karen Valvo.” Ms. Valvo is the chair of EMU’s Board of Regents.

So the question remains, who do they think we are? Increasingly it seems, governing boards believe that the professoriate are no longer the “University”, they are simply employees of it. As any offers, should accept policy changes and

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NO UNDERGRADUATE LEFT BEHIND

Implications of the Spellings Report

By Jeffrey Lee

Secretary of Education Margaret Spellings accepted the final report from The Future of Higher Education Commission on September 19, 2006. The commission, composed primarily of private sector executives and current and former university administrators, focused on three areas of higher education they found in need of improvement: accessibility, affordability and accountability. Implications regarding the latter will be most relevant to faculty life.

For anyone familiar with the No Children Left Behind Act (2001), the rhetoric sounds eerily similar. The commission urges “the creation of a robust culture of accountability and transparency.”¹ It continues by suggesting that institutions should “measure and report meaningful student learning outcomes” and that they should include “value-added measurements.” (pg. 23) Finally, the commission recommended the creation of a “*privacy-protected*” [original emphasis] informational system that collects student-level data over the long-term. In theory, this would allow institutions, policymakers and third parties to easily assess the ability of a school to educate its students. Its intention is to provide analytical opportunities beyond a single class. For example, it would allow a department chair to assess whether each class has adequately prepared its students for the classes which follow it. Or, it would allow administrations to access the true level of education transfer students have upon admission.

While these measures could feasibly produce positive outcomes, they could just as easily infringe on the academic freedom of the professoriate. “Accountability” and “value-added measurements” sound suspiciously like a call for standardized testing. Given the ever-increasing cost of higher education and reliance on student loans, students and parents alike need to be able to quantitatively assess the economic value of a college degree as they would any investment. The value of a particular institution’s education must therefore offset and surpass the economic cost. The question for the AAUP and the academic profession is how this information can be provided with-

out compromising a professor’s independence in the classroom and in assigning grades.

In terms of pure quantitative resources, the “privacy-protected” database would provide a wealth of information, but at what cost to academic freedom? Teaching assessments would become unnecessary – the added knowledge of one’s class could be compared to a course mean to determine teaching “quality.” Also gone are grades, phased out as concern grows whenever discrepancies appear between assigned grades and added knowledge. It is a bleak picture, but it is far from a forgone conclusion.

While Secretary Spellings is determined to implement the recommendations as quickly as possible, most will require the action of Congress. The shape of the actions will depend greatly on the outcome of next month’s election. As it is, Secretary Spellings is backpedaling to defend the “privacy-protected” database against wide-spread criticism. The recent furor over wire-tapping by the NSA has raised serious privacy questions, questions not easily sated by Secretary Spellings reassurances.

For more information please see the Spellings Commission report at <http://www.ed.gov/about/bdscomm/list/hiedfuture/reports/pre-pub-report.pdf>

Read Secretary Spellings’ Comments at the National Press Club at <http://www.ed.gov/news/speeches/2006/09/09262006.html>

Additional information on the commission and its findings can be found at <http://www.ed.gov/about/bdscomm/list/hiedfuture/index.html>

Read the AAUP’s reaction to the Spellings Report at <http://www.aaup.org/AAUP/GR/federal/FutureofHigherEd/spellrep.htm>

¹ Spellings Commission on the Future of Higher Education, “A Test of Leadership: Charting the Future of U.S. Higher Education”, September 2006, pg. 20

STUCK IN LIMBO

Overall, the faculty are generally, angry and upset with the administration here at Eastern Michigan University. The main gripes involve:

- o The way negotiations were conducted, and how the administration walked away from the table the night before classes started
- o The regressive bargaining after we went back to the classroom in good faith. They used our dedication to our students against us
- o We offered the administration the following deal: if you will accept all of the results of the fact-finding process, we will as well. Most fact-finding results are compromises, and we are willing to jointly accept those compromises, however they turn out. Unfortunately, the administration rejected this offer.



- o 20 years of disrespecting the faculty. This was the 5th strike in the short 32 year history of the EMU-AAUP (out of 10 negotiations). Enough said.

There has been talk of votes of no confidence against the Board of Regents, and other potential actions involving upper-level administrators. We are trying to work with our Faculty Council on these issues.

Last week and this week, we have conducted informational picketing. Our main goal is to let the public know that we still do not have a contract, and that we are very unhappy with the way in which we have been treated.

One last item: We received financial and moral support from Oakland University and Western Michigan University during the strike, and it was greatly appreciated. Thank you to all of those who sent word of encouragement. They were greatly appreciated. The National AAUP has been very helpful, especially Ernie Benjamin. And finally, Jeff Lee was always there for us, at every big rally and event that we had. His support meant a lot to all of us.

THE SUMMER HEAT

should unquestioningly accept administration philosophy and direction. Shared governance would become an antiquated notion; it would be unnecessary.

Who are we? A question not defined by the past, but by the present. Who we are is defined by everyday actions and choices. Sometimes the need for action is obvious – an expensive new house for the president, moving part of the campus 60 miles away, a change to the tenure system. The small choices, however, matter more because they occur more frequently. How often has one of us opted to skip a departmental meeting? Yes, it is boring and everyone always talks about the same things, but when we abandon our responsibilities, we embolden those who act in

our absence. Chairs begin to act unilaterally, then deans, then the provost.

The future of the professoriate lies in the activity of its current members. The quest for tenure requires each of us to determine our professional identity. Perhaps only contract negotiations require us to define our collective identity. But, we need to define that vision more frequently. Ask yourself, what kind of university environment do I want to work within and how can I make that a reality? Volunteer ideas, question your administrators' actions and intentions, serve in faculty governance and become active in the AAUP. If you have any questions, please contact the leaders at your local chapter. Who are we – only we make that decision.

ELECTION 2006

Ballot Initiatives

Proposal 2

Michigan has two ballot initiatives which will directly affect higher education. The first is Proposal 2, the Michigan Civil Rights Initiative. This highly controversial proposal is opposed by both of the candidates for governor and also by both U.S. Senate candidates. If enacted, it would eliminate Affirmative Action or any "preferential treatment to groups or individuals based on their race, gender, color, ethnicity or national origin for public employment, education or contracting purposes."¹ Similar proposals passed in California and Washington have dramatically reduced the number of minority applicants and subsequent enrollees. Spearheading this initiative is Jennifer Gratz who sued the University of Michigan after she was denied admission in 1995. The case went to the U.S. Supreme Court where Ms. Gratz ultimately won (*Gratz v. Bollinger*). The backing and funding for this initiative comes from Ward Connerly, a former University of California Regent, who has led the two successful drives in California and Washington and has also pushed this idea in other states. Controversy has surrounded this measure. Opponents have alleged that petition collectors were not forthright with potential signers regarding the MCRI's meaning and intentions. The Michigan Conference has joined the One United Michigan coalition in opposition to Proposal 2.

For more information see its website at <http://www.oneunitedmichigan.org/>

Information supplied by the proponents of Proposal 2 can be found at <http://www.michigancivilrights.org/>

Proposal 5

Also on the ballot is Proposal 5, the K-16 initiative. This would immediately increase K-12 and higher education appropriations by \$565 million and require this level to increase annually to match inflation. This would eliminate concerns over appropriations cuts and provide a reliable revenue stream from the state. Both gubernatorial candidates oppose this measure; Governor Granholm because it would severely restrict budgetary flexibility. The Michigan Conference has joined the K-16 Coalition for Michigan's Future in support of this initiative.

For more information see its website at <http://www.michigank16.org/>

Information supplied by the opponents of Proposal 5 can be found at <http://www.stopthespendingmandate.com>

¹Text for all of the ballot proposals can be found at the Michigan Secretary of State's website at http://www.michigan.gov/documents/Statewide_Bal_Prop_Status_145801_7.pdf

GUBERNATORIAL CANDIDATES

By Jeffrey Lee

The most expensive gubernatorial campaign in Michigan history will finally end on November 7th. Given the media onslaught of both campaigns, it is doubtful that many Michiganders are unfamiliar with either candidate. However, given the importance of the election, please take this opportunity to review the background of both candidates. Each has focused on the economic condition of the state and that certainly has a dramatic implication on the funding of higher education; however, the duties of the governor have another, potentially more important role in the administration of Michigan's public universities. Governing board

members for all but Wayne State University, Michigan State University and the University of Michigan are appointed by the governor. For the three schools with elected boards, the governor has a strong voice during the nomination process. This election is not simply about jobs. For higher education, it will have a direct impact on the directions of our institutions.

Disclaimer Source Note: Candidate information from PROJECT VOTE-SMART and augmented from candidates campaign website where necessary.

Jennifer Granholm

Democrat

Education

BA (Political Science and French) –
University of California at Berkeley
JD – Harvard Law School, 1987

Professional/Public Sector Experience

Governor, State of Michigan, 2003-present
Michigan Attorney General, 1998-2002
Federal Prosecutor, U.S. Attorney's Office,
Detroit, 1990-1994
Wayne County Corporation Counsel,
1994-1998

Campaign Website

<http://www.granholmforgov.com/>

Dick DeVos

Republican

Education

BBA – Northwood Institute, 1981

Professional/Public Sector Experience

Board of Control, Grand Valley State University,
1995-2000
Board of Trustees, Davenport College of Business
(Now Davenport University), 1991-2000
State Board of Education; 1991-1993
Amway Corp./Alticorp, 1974-2002
Vice President – International, 1984-1989
President, 1993-2002
President and CEO, NBA's Orlando Magic,
1991-1993
Founder and President, The Windquest Group,
1989-present

Campaign Website

<http://www.devosforgovernor.com/>

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