



WARTBURG AAUP

"Committed to Academic Excellence"

NEWSLETTER

April 11, 1994

CHAPTER ENDORSES PRESIDENT VOGEL'S PLAN TO EVALUATE THE DEAN IN 1994-95

At its March meeting, Wartburg AAUP voted to support President **Robert Vogel's** plan to conduct a faculty evaluation of the academic dean in the 1994-95 academic year.

As reported in the March *Newsletter*, the AAUP Committee for Administrative Review (**Wade, Wagner, and Zemke**) had asked Faculty Council to coordinate a faculty evaluation of the dean so that a summary of the results could be given to the faculty, as AAUP recommends. On March 17 Faculty Council discussed that request with President Vogel, and at the April faculty meeting President Vogel announced that he would undertake the evaluation next academic year.

Wartburg AAUP commends President Vogel for recognizing the primary role played by faculty in periodic review of academic administrators.

FACULTY FORUM : CELL RECOMMENDS HANDBOOK CHANGES

On March 24 more than a quarter of the full-time faculty heard Cornell Professor **Don Cell** speak on confidentiality and due process. Among the faculty present were representatives from most of the major committees, including the chairs of **Faculty Council, Faculty Review Committee, Faculty Development, and Appointment, Rank, and Tenure.** **Dean Pence** also attended.

Cell began by pointing out that he had come to Wartburg not to support the views of Wartburg AAUP but to clarify AAUP principles and standards as they apply to the issues of confidentiality and institutional need at Wartburg College.

In his introduction he also noted "two significant positives" at Wartburg: (1) "**a detailed Faculty Handbook which follows AAUP principles**" and (2) "**the basic role faculty committees play in reappointment and tenure decisions.**"

Among the questions answered in the body of Cell's talk were the following (answers are quoted verbatim from his typescript):

1. Does AAUP have any objections to using institutional need as a criterion in the tenure process?

[Although] there is a heavy burden placed on the institution to justify any termination of tenured faculty, . . . the institution has no such burden of justification in the case of untenured faculty. Here an institution has an interest in assembling the highest quality faculty it can find within its resources. Furthermore, as far as untenured positions are concerned, an institution is free to reallocate its resources among programs in response to changes in student interests.

2. According to AAUP, what rights and protections do untenured faculty enjoy?

- (a) **They have the right to have their performance, and the need for their position if this is an issue, to be fairly considered by the responsible faculty committee.**
- (b) **They have the right to be informed before they are hired as to the criteria that will be applied in determining their reappointment and, eventually, tenure. And, should institutional need for their position later become a more weighty consideration, they must be informed as soon as the administration and responsible faculty committees become aware of this situation.**

- (c) [They] have the right to know the reason for non-reappointment. This is clearly spelled out in the 1971 *Statement on . . . Renewal or Nonrenewal of Faculty Appointments*.
3. What are the disadvantages of employing institutional need in the tenure process?
- (a) The more tenuous the positions of untenured faculty, the more beholden they may feel to produce instant gratification to students, and this may take its toll on the integrity of their teaching.
- (b) It will surely be more difficult to attract the best-qualified young people to positions at the college.
4. According to AAUP, when is confidentiality appropriate/inappropriate?
- (a) Confidentiality is appropriate in the case of faculty deliberations regarding personnel decisions . . . in order to promote the integrity of the process so that a sound decision may be reached.
- (b) But AAUP advises that the faculty member does have the right to know the reasons for nonreappointment.
- (c) Also, AAUP sees no justification in a rule that prohibits the faculty member from telling others the fact that he or she has filed a grievance.
- (d) And, by the same token, it is fundamental to fair procedure that [during a grievance] the faculty member may ask for advice and assistance from whomever can offer this assistance.
5. Should a faculty member have access to his or her personnel file?

A recent AAUP statement . . . argues for such openness, even though the opinion on this within AAUP was less than unanimous. And although this practice is not the norm in academe [nor is it the practice at Cornell], there has been a definite trend toward more openness rather than less, especially with increased concern about sex—and other forms of—discrimination.

6. What handbook changes would most enhance the fairness of Wartburg's reappointment and tenure process?
- (a) The Faculty Handbook does not appear to address an extremely important consideration: the probationary faculty member should be advised, as early as is feasible, of a discernible possibility that need will be a significant factor in a decision on retention.
- The probationary faculty member will be treated with gross unfairness, and indeed the principle of probation will become a farce, if throughout the probationary period the stated criteria for retention are solely those related to academic performance, those criteria have been satisfactorily met, and only when it is time for the decision on permanent tenure, do the decision-makers for the first time take institutional need into account and determine that the candidate, however well qualified, is simply not needed.
- (b) AAUP advises that the faculty member does have the right to know the reason for non-reappointment. . . . As I understand, this assurance is not presently provided in the Handbook, and AAUP strongly recommends that it should be included as a precept of due process.

Professor Cell's talk was followed by a lively and collegial discussion.

BILL AND TED'S EXCELLENT AMENDMENT (ON INSTITUTIONAL NEED)

Professors **Ted Reuter** and **William Shipman** (chair of the Faculty Review Committee) have proposed amendments to the sections of the faculty handbook treating "institutional need." FRC approved these amendments and forwarded them to Faculty Council on March 28. FRC also sent a copy of the proposed changes to the faculty on March 29.

In its original form (as drafted by Professor Reuter) the proposal completely eliminated institutional need as a criterion for reappointment and tenure. A product of compromise, the current version retains institutional need as a factor in the reappointment and tenure process but limits its application to the fourth year of the probationary period (or its equivalent, in the case of prior service credit).

Key provisions include the following:

- **That the college should inform candidates for appointment about the extent to which institutional need will affect their chances of eventually receiving tenure (section 2.2.2 in the proposal).**
- **That institutional need must be established before a tenure-track position is offered (section 2.7.4.2.a).**
- **That the annual institutional need assessments are to be communicated in writing to the appropriate department chair and all tenure-track faculty in the department (section 2.7.4.2.b).**
- **That institutional need can be used to halt a tenure-track faculty member's progress toward tenure only in the fourth year of the probationary period, or the third year in the case of prior service credit (section 2.7.4.2.c).**
- **That fourth-year faculty whose positions are judged not tenurable because of a lack of institutional need may be allowed as many as three one-year contracts, circumstances permitting (section 2.7.4.2.c).**

If these changes are adopted, future tenure-track faculty will be told, at the time of initial appointment, to what extent "need" will affect their chances of receiving tenure at Wartburg. Furthermore, during each year of probation, the results of that year's institutional need examination will be conveyed, in writing, to all tenure-track faculty.

However, the only year in which institutional need can be used to derail a candidate from the tenure track is the fourth (or its equivalent). Therefore, fourth-year faculty whose positions have been deemed tenurable would no longer be subject to any institutional need considerations and would thus be able to concentrate on achieving tenure solely on the basis of academic performance. Fourth-year faculty whose positions have been deemed not tenurable may be allowed up to three additional years to find another job.

The Reuter/Shipman proposal addresses many of the concerns about fairness and due process raised when institutional need was used to justify the nonreappointments of Professors Geirsson and Gomez, and it does so in a manner quite consistent with the AAUP principles recommended by Don Cell at the March 24 faculty forum. (See especially items 2, 3, and 6b in "Faculty Forum," above.)

Thanks to Professors Reuter and Shipman for their good work!

CELL WARNS OF THE DANGERS OF NON-TENURE-TRACK APPOINTMENTS

As a postscript to his March 22 presentation, Professor **Don Cell** wrote Wartburg AAUP on April 2 to caution against using non-tenure-track positions to achieve "flexibility," advice based on his thirty years of experience at Cornell College.

"I would like to add a thought that occurred to me regarding the exchange of views following my talk," writes Cell. "I recalled a policy that Cornell tried in the 1970's at a time when we thought we needed more flexibility because of uncertainty in future enrollment. As positions were vacated through retirements or departures, we converted some of the positions from tenure-track to non-tenure track."

"As the consequences of this practice became clear, we soon abandoned it as a bad idea. We found that the policy was creating bitter conflicts among departments over which positions would be

demoted, relegating new colleagues into an inferior status, and making it difficult for some departments to recruit the best candidates. Recrimination and inferiority were being introduced where collegiality and equality had previously existed.

“Although Wartburg has not explicitly established positions ineligible for tenure, I sensed from the discussion that the College may be moving in this direction de facto. One understands how the desire for flexibility in staffing may produce a reluctance to make tenure commitments. My thought, based on our experience, is that such flexibility may come at a high real cost to a college.

NINETY PERCENT OF AMERICAN COLLEGES AND UNIVERSITIES GIVE REASONS

According to AAUP Associate General Secretary **Jordan Kurland**, 30 years ago AAUP did not advocate giving reasons on request to faculty who were not reappointed, and less than 10 percent of colleges and universities did so. In 1971, however, AAUP published its *Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments*, which articulates its present policy. Since then, the number of colleges and universities giving reasons has increased to “nearly 90 percent.”

OOPS!!! RAISES ACTUALLY SECOND HIGHEST IN SIX YEARS!!!!

Too often we are reminded of George Orwell’s words: “To see what is in front of one’s nose requires a constant struggle.” Professor **Bret Billet** kindly alerted us to a mistake in the March *Newsletter* article “1994-95 Raise Third Highest in Six Years.” Real salary for 1989-90 should have been 1.4, not 2.4.

The corrected table, as well as the figures for the preceding six years, is given below. A careful analysis found the need for additional notations: in some years (see details in table) individual ranks received extra increases above the across-the-board salary percent increases.

	<u>CPI*</u>	<u>Nominal</u>	<u>Real</u>		<u>CPI</u>	<u>Nominal</u>	<u>Real</u>
1983-84	3.8	5.0	1.2	1989-90	4.6	6.0	1.4
1984-85	3.9	7.5	3.6	1990-91	6.1	6.0***	-0.1
1985-86	3.8	7.0	3.2	1991-92	3.1	5.5**	2.4
1986-87	1.1	6.0**	5.7	1992-93	2.9	4.2	1.3
1987-88	4.4	6.0	1.6	1993-94	2.8	3.25	0.45
1988-89	4.4	5.0	0.6	1994-95	2.9****	5.1	2.2

* CPI from December to December

** Full professors received additional percent increase

*** Full and associate professors received an additional \$400; assistants \$700

**** Projected

—Warren T. Zemke

IOWA AAUP MEETING: THE DISRUPTION OF PROFESSOR POPE’S CLASSES AT ISU

The Iowa Conference of the AAUP is holding its spring meeting on Saturday, May 7, in the Gold Room of the Student Union at Iowa State University. The morning session is entitled “Classroom Disruption and What We Have Learned from the Events Surrounding Professor Christine Pope” and features the following presenters: Provost John Kozad, Dean Elizabeth Hoffman, and history department chair George McKinsey. In the fall, Christine Pope received state-wide media attention when her classes were disrupted by students and others who disputed her credentials as a teacher of African-American history.

The afternoon session is “The Financial Analysis of Colleges/Universities: Procedures and Programs Developed for AAUP by Prof. Richard Weber,” presented by Luther College Professor **Jacqueline Wilkie**. The success of Weber’s program has been acclaimed both by faculty and by administrative officers at the many institutions that have used this service. As reported in the February *Newsletter*, **Luther College** recently joined the ranks of these institutions, with Professor Wilkie helping to perform the analysis.

If you are interested in attending, contact Warren Zemke or Greg Scholtz for a ride.