



WARTBURG AAUP

"Committed to Academic Excellence"

NEWSLETTER

January 6, 1994

GEIRSSON APPEALS INSTITUTIONAL NEED DETERMINATION

Prof. Heimir Geirsson is appealing the "institutional need" determination that was the basis of President Vogel's recent decision (Nov. 16) to issue Geirsson a terminal contract for 1994-95 without allowing him to stand for tenure. In an eleven-page, single-spaced document, Geirsson develops seventeen arguments in support of his contention that the institutional need decision should be overturned. Ten of these arguments allege procedural violations. His grievance is to be heard by the following members of the Faculty Review Committee: Shipman (Chair), Fenneman, Frick, and Sutherland. A hearing date of January 21, 1994, has been set.

NATIONAL AAUP: GEIRSSON DECISION "INIMICAL" TO AAUP STANDARDS

In a letter to Prof. Geirsson, dated December 17, 1993, Jordan E. Kurland, associate general secretary of AAUP, states that the recent decision not to reappoint Geirsson because of an alleged lack of "institutional need" was the result of procedures that were both unfair and "inimical" to widely accepted professional standards.

Kurland argues that the sudden introduction of institutional need as the sole criterion for tenure in Geirsson's tenure year was an "abrupt switch" from the sole criterion of academic performance by which Geirsson had previously been evaluated. It is an AAUP principle that tenure-track faculty must be kept informed, from the time of initial appointment, of the standards which will be used to determine whether or not they will receive tenure.

Kurland also expresses AAUP's concern that institutional need might not have been "the real reason for the nonreappointment decision." The complete text of the letter follows:

Dear Professor Geirsson:

As you requested, I have reviewed the available information on your probationary service at Wartburg through President Vogel's letter of November 16 that notified you of nonreappointment beyond the 1994-95 academic year. At least one aspect of the matter seems quite troublesome in terms of AAUP's recommended standards, as will be explained in the comments that follow.

According to our enclosed Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments "fairness to probationary faculty members prescribes that they be informed, early in their appointments, of the substantive and procedural standards that will be followed in determining whether or not their appointments will be renewed or tenure will be granted."

The sole reason stated in President Vogel's November 16 letter for denying you reappointment is "lack of institutional need for a second position in Philosophy"; his letter rules out scholarship, teaching, and personal conduct as having any bearing on the decision. When you were offered and accepted appointment to the Wartburg faculty in the spring of 1990, I take it that nothing was stated that would suggest any doubt as to the continuance of the second Philosophy position. Subsequently, with the decisions to reappoint you to a second year of probation, then to a third year, and then again to a fourth year, I take it that each evaluation was based on academic performance, and nothing was said about (and indeed, with some increase in enrollments, you had no grounds for suspecting) any problem with respect to ongoing need for the position.

I understand that it was only last March 31, after you had been reappointed for the 1993-94 academic year, that Dean Pence, on the final page of a three-page annual evaluation, provided you with the first stated warning that the continuation of your position was considered to be uncertain. The asserted lack of "institutional need" was indeed cited in the fall as the sole basis for not reappointing you. We are left with a strong sense of concern over the abrupt switch from

assessment based solely on academic performance and personal conduct to an assessment based solely on "institutional need," a switch that strikes us as inimical to the above-quoted provision in our Statement on Procedural Standards.

Our concern, I must say, is intensified by another kind of potential reason for nonretention, other than academic performance and need, that appears for the first and only time in Dean Pence's March 31 evaluation: an alleged "breakdown in communication" between you and the department chair. I trust that the body hearing your grievance will wish to satisfy itself that the alleged problem involving the department chair is not the real reason for the nonreappointment decision, and that the stated "need" reason is not merely a makeweight.

With best regards.

Sincerely,
Jordan E. Kurland

CHAPTER TO DISCUSS SUPPORT FOR GEIRSSON

In a memorandum to AAUP members, dated 1/4/94, President Warren Zemke states that "Wartburg AAUP dare not take a neutral stance" on Prof. Geirsson's appeal because of the principles involved. He urges members to attend the January 11 meeting at which the chapter will debate its position. "We must support any faculty colleague, tenured or not, full-time or part-time, whose rights to academic freedom and peer review have been threatened," writes Zemke.

NO WONDER THEY COMPLAIN

Readers of *Doonesbury* may be interested in the following information:

Average Wartburg GPAs, by Class, after May Term 1993:

Freshman	2.987	Juniors	3.047
Sophomores	3.019	Seniors	3.138

Source: Office of the Registrar

WARTBURG SALARIES: DESPITE RAISES, THE GAP WIDENS

At the November 30 meeting of the Wartburg chapter of AAUP, Prof. Warren Zemke presented a report on faculty salaries. Some salient features of that report:

For the past four years, Wartburg across-the-board faculty salary increases have averaged 4-6%. For the current academic year, the salary increase was 3.25 %

However, after the cost of living is taken into account, salaries have been typically advancing at only 1-2%. Thus, with the projected cost of living for 1993-94 at 2.8%, this year's real salary represents an increase of only .5%.

Detailed information is displayed in the table. The source of CPI and other salary information is "The Annual Report on the Economic Status of the Profession" in the March / April 1993 issue of *Academe*.

PERCENTILE Increases in Salaries and Cost of Living

<u>Year</u>	<u>CPI*</u>	<u>Wartburg Nominal</u>	<u>Wartburg Real</u>
1989-90	4.6	6.0	2.4
1990-91	6.1	6.0	-0.1
1991-92	3.1	5.5	2.4
1992-93	2.9	4.2	1.3
1993-94	2.8**	3.25	0.45**

*CPI is from December to December

**Projected

When Wartburg faculty salary increases over the last four years are viewed in relation to those of faculty at similar Iowa colleges and regional ELCA colleges, it becomes evident that Wartburg faculty continue to lose ground.

Profs. Augie Waltmann and Jeff Snider, Budget and Building representatives who were present at the meeting, took back to their committee the chapter's recommendation that 1994-95 Wartburg faculty salary increases be "at least 2% above the CPI and ideally 4 to 5% above the CPI." Along with this recommendation went the notation that to begin to close the salary gap between Wartburg and comparable schools, a raise of at least 10% would be necessary in 1994-95.

ZEMKE TELLS OF QUEST TO OBTAIN SUMMARY OF DEAN EVALUATION

For several months I have been attempting to obtain a summary of (1) the third-year evaluation of the dean of the faculty and (2) the faculty assessment of the academic program that was part of that evaluation.

On April 15, 1991, President Vogel initiated the dean's first-year evaluation. On May 28, 1991, he distributed a summary of that evaluation, based on nearly 50 responses. According to the president, some of the highest ranked items in the evaluation were "shows respect for diverse ideas and opinions; affirms and represents the values and commitment reflected in the College's Christian heritage; demonstrates a strong commitment to liberal arts education; supports and upholds academic standards. . . ." "The over-all assessment was positive," reported the president.

On March 31, 1993, President Vogel initiated the dean's third-year evaluation. In the July 1 FIB, he reported, "The review has now been completed. The Dean and I have met on several occasions to discuss my summary of the survey results. The Dean also presented a self evaluation to me and the Faculty Personnel Committee. I met independently with FPC and then we all participated in a joint session with the Dean." Compared to the 1991 summary, this report provided virtually no information--not even a statement that the assessment was positive.

Dissatisfied with this non-report, on November 2, 1993, I sent a letter to Prof. Lindell, chair of ART, requesting that ART "as the successor to FPC, ask Pres. Vogel to publish a summary of the review, including a statement of action taken as a result of the review (underlined words from the 1981 principles stated in the AAUP Redbook, p. 126, on Faculty Participation in the Evaluation of Administrators)." In this letter I claimed that the president's response led me to believe that the faculty effort in the evaluation did not count and that I wasted my time and effort complying with the president's request.

Moreover, my letter reminded ART of the president's request that we assess "how WE are doing TOGETHER in the management and administration of the academic program at Wartburg College" (emphasis added).

ART took no formal action. In his written response (11/20/93), Prof. Lindell said that ART discussed my letter and asked him to discuss with the president "the issue of how the Dean's third-year evaluation was reported to the faculty." Prof. Lindell reported, after meeting with the president, that it had never been the president's intention "to publish such a summary" and "no such result" had been promised. The president thought it was enough that the results were shared with FPC, which also participated in discussion with the president and the dean.

Still dissatisfied, I wrote Pres. Vogel (11/20/93). I was subsequently asked to meet with him on December 7. I was hoping that there would be a chance to obtain at least a summary of the faculty's assessment of the academic program. But the president never wavered. He assured me that he had abided by his promises: to share the results with the dean and FPC. He encouraged me to trust that FPC had adequately represented the faculty. Upon departure from his office, I said, "There were 50 responses in 1991. How many were there this time?" He responded, "A substantial number."

Our new handbook says, "In appreciation of the principles of participatory governance and in the interest of the well-being of the College, the faculty and College administration accept their responsibility to work meaningfully and sincerely with each other in addressing matters of mutual concern and interest (Section 1.5.1, p.7). The academic program is a proper concern of this faculty. Why, then, must a summary of our evaluation of our program be withheld by the administration?"

—W. Zemke

CHAPTER RECEIVES ADMINISTRATOR EVALUATION KIT

In response to the information contained in the previous article, AAUP General Secretary Mark Blum sent chapter officers AAUP's Administrator Evaluation Kit. The kit contains materials necessary for faculty to evaluate any administrative officer. The kit also contains sample evaluations from various colleges and universities.

AAUP ATTORNEY GIVES GREEN LIGHT ON REASONS

Deeply concerned by rumors that amending the Faculty Handbook to provide reasons to faculty who are not reappointed might hurt the college in its current litigation with Prof. Merry Belz, the chapter contacted the national office. In response, we received a letter from Helen Irvin, associate secretary and AAUP counsel. In her letter she points out that "the handbook in effect at the time that [Prof. Belz] received notice of nonrenewal is the handbook that applied to her."

She goes on to assert that "a handbook revised after the time that she received notice of nonrenewal would have no application to her and no effect on her situation." Thus, Irvin says, "there is no reason not to proceed with the handbook revision" (emphasis added).

Ms. Irvin also has this to say about statements about "at-will" employment quoted in the article entitled "Group Chairs Report on Board Meeting" from the November newsletter: "Employment is at will generally, but a contract or collective bargaining agreement will take a faculty member out of the 'at-will' category." Accompanying her letter is a 12-page memorandum on the legal status of faculty handbooks.

SISTER ACT 2

The October newsletter listed seven area sister colleges that follow AAUP recommendations on providing reasons to faculty who are not reappointed ("Sisters with Reasons"). The November newsletter listed the twenty-nine four-year institutions in Iowa that give reasons and the five that do not ("The Company We Keep"). For this issue we contacted the deans of all twenty-nine ELCA institutions. The responses indicate that the vast majority of sister colleges, including some of the most prestigious, follow standards widely accepted in the profession.

Do Give Reasons

Augsburg College (20)
Augustana College-Rock Island (23)
Augustana College-Sioux Falls (22.9)
Bethany College (22.3)
California Lutheran (23)*
Capital University (23)
Carthage College (21.2)
Concordia College (23)
Gustavus Adolphus College (25)
Lenoir-Rhyne College (22)*
Luther College (24)
Midland Lutheran College (21.7)
Muhlenberg College (26)*
Roanoke College (24)*
St. Olaf College (25)
Suomi (none reported)
Susquehanna University (23)*
Thiel College (20)
Upsala College (21)*
Wagner (23)*

Don't Give Reasons

Dana College (20.7)
Grand View College (19)
Newberry College (21)*
Pacific Lutheran University (24)*
Texas Lutheran (none reported)
WARTBURG COLLEGE (23.6)

The number in parentheses is the average ACT score for the freshman class entering in the fall of 1991 (from *American Colleges and Universities*, 1992 ed.).

At "press time" we had still received no response from Gettysburg and Waldorf. (Stay tuned.) Wittenberg reports that "Reasons have not been requested in recent memory and there is not institutional policy."

*converted from SAT