



WARTBURG AAUP

"Committed to Academic Excellence"

NEWSLETTER

October 31, 2006

WARTBURG AAUP WRITES LETTER DETAILING AAUP ISSUES TO HLC VISITING TEAM

With the approval of the chapter, the officers of Wartburg AAUP have written the following letter to the chair of the visiting team from the Higher Learning Commission of the North Central Association:

Dear Professor Rossmann:

On September 1, we asked President Ohle's office to inform you that we were interested in meeting with the visiting team during its time on campus. While we hope that we will indeed be able to get together, we recognize that your busy schedule may preclude such an opportunity. Whether a meeting takes place or not, however, the chapter has agreed that we should provide you with these written comments. In the interests of transparency and openness, they have also been published in our newsletter and on our website.

Having grown steadily since its reconstitution in 1992, Wartburg AAUP today includes more than half the full-time teaching faculty. If you were to visit our website (<http://home.mchsi.com/~wartburgaaup/>), you would see that for the last fifteen years the chapter has been continuously active in campus affairs, especially when events have challenged AAUP principles related to shared governance, peer review, due process, and academic freedom.

With these principles in mind and with the hope of contributing to an honest self-evaluation—the basis of any effective reaccreditation process—we respectfully offer the following observations and suggestions on topics of concern to our members:

1. Governance Issues. The chapter shares the concerns expressed on pages 35–37 of the self-study report, especially those regarding (a) "administrative interference in and disregard for faculty actions" in areas where faculty traditionally have exercised primary responsibility, (b) the administration's creation of various bodies to perform tasks that fall under the purview of existing faculty committees, and (c) the lack of meaningful faculty participation in decision-making related to budget and institutional long-range planning (see also item 3).

An additional governance issue not noted in the self-study is a pattern of administrative disregard for policies and procedures contained in the faculty handbook. For documentation, please refer to material posted on the "Issues" page of the chapter website—especially material related to the 2000–2001 music education search, to recent attempts to fill the Saemann Chair, and to the process leading to last year's decision to build the Wartburg-Waverly Wellness Center.

2. Potential Governance Solutions. Though it is not clear that the primary causes of our governance problems are structural, one organizational change that could move our governance structure closer to the ideal expressed in the AAUP's 1966 *Statement on Government* is the establishment of a faculty senate. A senate, we believe, would more clearly delineate and separate the areas of responsibility belonging to faculty. A senate would provide a more efficient forum for decision-making than plenary faculty meetings, which have become increasingly cumbersome as the faculty has become larger. And a senate would provide the faculty with elected officers who can speak for the faculty.

Another structural change that we think would enhance the quality of shared governance is the creation of a faculty-board conference committee. On page 33 of the self-study, the authors note the improvement in communication brought about by adding vice

presidents to board committees. Regrettably, there has been no parallel progress in finding ways to improve the board's communication with faculty, who have very limited contact, formal or informal, with the Regents. We think that the board should reconsider Faculty Council's February 2004 recommendation (endorsed by the chapter) that the board establish a faculty-board conference committee to effect regular, unmediated conversation between faculty and Regents. For more details, please see <<http://home.mchsi.com/~wartburgaup/issues.html#board>>.

3. Commission Wartburg. Recognizing that our continuing success depends on the college's remaining attractive to high-school graduates who are encountering increasingly alluring alternatives, we are grateful to President Ohle and the regents for the remarkable accomplishments in fund-raising and facilities improvement they have realized under the banner of Commission and Campaign Wartburg. Even so, we still must question the self-study's characterization of the commission as a long-range strategic-planning process. The Harvard case study,¹ the commission documents posted on the college's website, and the campaign's marketing brochures indicate that the commission's real purpose was not to engage key governance components in a process of careful planning but instead to cultivate potential donors who could help fund the ambitious building projects that the board and president had already decided to undertake. For this reason, the commission process was designed to exclude faculty members from any meaningful role in developing the 266 recommendations that provided the impetus for the ensuing campaign.² Reporting to the board at its most recent meeting, the chair of Faculty Council recommended that, post-commission, the board and administration should include faculty as "active participants in whatever strategic planning and initiatives constitute the next phase of [the college's] history," a recommendation the chapter would certainly endorse.

4. Faculty Compensation. We believe that academic quality depends on a college's ability to recruit and retain highly qualified faculty members. We therefore find it remarkable that the self-study contains no analysis of faculty compensation. Our analysis of data submitted by the college to the federal government and to the AAUP over the last eight years reveals strikingly lower gains in average annual compensation at the rank of associate and, especially, professor—in relation both to the lower ranks and to the same ranks at comparable (IIB) institutions (see attached table). We hope that the college is taking adequate steps to address this issue.

Thank you for taking our comments into consideration as you help the college evaluate its efforts to improve student learning. We look forward to reading your report.

MYSAFECAMPUS: "SHOULD WE LOOK THIS GIFT HORSE IN THE MOUTH?"

On September 5, Wartburg's vice president for administration, Gary Grace, sent an e-mail message to all members of the faculty announcing that "Wartburg is implementing a new anonymous incident reporting system for students and staff entitled MySafeCampus®." Although faculty are not explicitly included in the list of those for whom the system is ostensibly intended, the invitation later in the message to "feel free to utilize this system if you do not feel comfortable using our current procedures" makes it clear that faculty really are included. It also makes it clear that the administration considers MySafeCampus to be addressing a problem—a lack of comfort with our current reporting procedures. Grace goes on to state, "This new service is an enhancement, not a replacement, to our current policies and procedures for reporting or voicing concerns."

The language of the announcement raises two questions. First, is there a need for MySafeCampus? Do our current reporting mechanisms make people uncomfortable, and, if so, are all inhibiting factors undesirable? Along this line one might also ask whether prior to the adoption of MySafeCampus

¹ Jared Bleak, *Campaign Wartburg* (Cambridge: Harvard Graduate School of Education, 2002). We highly recommend this detailed, impartial, and perceptive account of the origin and conception of Campaign Wartburg.

² On page 37 of the self-study, the authors note, "As stated in the *Harvard Case Study*, *Commission Wartburg* was purposely designed to include faculty input only in the ranking process after recommendations were made, and in the ranking process, faculty represented only one of many constituencies consulted." Not mentioned is the fact that the administration invited this "faculty input" electronically during the summer when most faculty were not in their offices.

employees lacked the means to lodge an anonymous complaint. Second, does MySafeCampus enhance our current reporting mechanisms or does it replace them, at least partially?

First, consider the question of need. Clearly, anonymous reports or complaints were possible prior to MySafeCampus. An unsigned note sent through campus mail is a simple and safe method. MySafeCampus has one additional capacity, however: it makes it possible for the anonymous reporter to continue in anonymous dialogue with administrators as long as the administrators remain willing to listen. This seems to be the only real advantage over previous methods. But one wonders if a continuing dialog in which the reporter remains anonymous is really a healthy mechanism. Those accused are named and discussed, while the accuser remains faceless. Our civil law typically requires that a person making an accusation come forward and lodge an official complaint before action will be taken. The reasons for not allowing an anonymous allegation to initiate an investigation are clear. The potential for abuse—for faceless slander and character assassination—is very real.

Second, consider whether MySafeCampus enhances our current procedures or whether it replaces them. The new system potentially replaces only part of the policies in the faculty handbook, the part governing the lodging of grievances and reporting of harassment. In these two cases, however, it establishes a parallel procedure that operates prior to and, indeed, in place of established handbook procedures. The handbook dictates a process for lodging complaints; MySafeCampus offers a different process. The stated intention is the augmentation of handbook procedures, but the practical effect is not so much augmentation as the interruption and even preemption of established procedures. The procedures for handling complaints made through MySafeCampus are neither specified nor regulated by procedures approved by faculty vote. The procedures used seem entirely at the discretion of the administrators who receive the anonymous reports. Faculty have neither knowledge of nor regulative control over these procedures.

I have intentionally focused only on reports of the kind covered by the faculty handbook. MySafeCampus specifically invites a much wider range of reports than are governed by established faculty policy. Employees are invited to report “harassment, employee mistreatment, unfair labor practice, discrimination, sabotage, threatening behavior, unsafe work conditions, vandalism, workplace violence, workplace substance abuse, theft, fraud, embezzlement, auditing matters, ethical violations, waste of resources, compliance and regulation violations, and environmental damage.” And this is not an exclusive list. The range of reportable issues is unlimited.

A colleague called to my attention the fact that Iowa State University offers a service similar to MySafeCampus. The ISU policy, however, excludes a significant number of reportable issues. The ISU exclusionary statement reads as follows:

This hotline service does not replace or supersede existing reporting methods. The University strongly encourages staff and other members of the ISU community to report concerns of misconduct directly through normal lines of communication. This hotline should not be used to report issues such as human resources matters, issues concerning discrimination, harassment, or student conduct. Matters of this nature usually cannot be appropriately addressed when the complainant chooses to remain anonymous, and ISU may not be able to investigate such allegations in an anonymous report.

Administrators at ISU have concluded that it is necessary to exclude certain kinds of complaints, specifically those complaints for which established reporting procedures already exist. It is my hope that Wartburg will do the same.

Finally, the advertising of MySafeCampus on Wartburg TV and in campus publications, if it is effective, will result in an increase in complaints. This has a good and a bad side. Positively, we may discover that things like sexual assault and binge drinking are a greater problem on campus than we had previously been able to document. And this knowledge might lead to reforms in policy and regulations. Negatively, we may see an upsurge in frivolous and retaliatory complaints. The system could be “spammed” to initiate an investigation of a community member. The possibility of these kind of complaints may well affect the tone of our campus community by sending a chilling message to those inclined to speak out, confront, and act as social irritants—both in the classroom and among faculty colleagues. It is hard to see how, if a broad range of complaints is encouraged, we will not suffer a diminution of our social capital.

We have been offered this service as a gift from our insurance company as a means of liability reduction. But everything has a price. As the citizens of Troy learned, what is given for free may cost one dearly.

—Brian Jones

Vice President Gary Grace will be holding an information session on MySafeCampus at 11:30 a.m., Thursday, November 2, in Whitehouse Business Center 214.

AAUP DINNER: SHAW TELLS HOW AAUP HAS DEFINED THE ACADEMIC PROFESSION

On Friday, September 22, forty-two faculty, spouses, and friends gathered at the Castle Room for the Tenth Annual AAUP Fall Faculty Dinner. After an delightful meal in elegant surroundings, attendees heard from AAUP associate secretary Patrick Shaw. Pat, an attorney with many years experience in collective bargaining, is a member of AAUP's Department of Organizing and Services. What follows is a brief summary, with quotations, of his remarks.

According to the chair of AAUP's Committee A on Academic Freedom and Tenure, a "profession" is an activity whose practitioners

- "participat[e] in developing organizational policy";
- have "significant responsibility for personnel decisions about fellow professionals";
- collectively "establish [...] professional standards";
- are able to maintain "the commitment of organizational resources to professional goals."³

Essential in this list of attributes is "the practitioners' ability to self-regulate," including "having the authority ... to determine the standards, ethical and otherwise, to which they hold themselves."

In 1913 when philosopher A.O. Lovejoy and eighteen of his colleagues at Johns Hopkins sent a letter to leading academics at nine other universities to garner support for the founding of a national organization of university professors, the academic profession did not exist, at least not as defined above. Professors were badly paid, the institution of tenure did not exist for most of them, academic management style was top-down. In short, "the professoriate was fragmented, unorganized, and hardly in a position to have been denominated a 'profession.'"

Disciplinary organizations did exist at the time, but they tended to serve only scholars' specialized academic interests. No organization served "the societal and institutional interests of academics as a whole."

Thus, when the organizational meeting of the AAUP took place on January 1-2, 1915, in New York City, the response was overwhelming. Immediately the fledgling association began the task of developing professional standards, beginning with the 1915 *Declaration of Principles on Academic Freedom and Tenure*, which laid out the philosophical basis of the tenure system still with us today. Subsequent statements spelled out in more detail standards for this new profession, leading eventually to the 1940 *Statement of Principles on Academic Freedom and Tenure*, jointly formulated with the American Association of Colleges (now the AAC&U). The 1940 *Statement* is rightly considered "the cornerstone of your profession in American higher education."

The next milestone in the journey of the academic trade toward professionalism was the publication, in 1966, of the *Statement on Government of Colleges and Universities*, which was jointly formulated with the American Council on Education (or ACE, the organization college and university presidents) and the Association of Governing Boards (or AGB, the organization of college and university trustees). "I once described this document to a federal commission reviewing American employment laws as 'a compact between academic labor and academic management.'"

"For decades, the weight of the 1940 *Statement* and the 1966 *Statement* on governance a quarter-century later, the statement on professional ethics and many other statements and reports, the influence of its authors and its endorsers, their widespread acceptance throughout the American academy, and a general commitment to the proposition that institutions of higher education exist for the common good served the professoriate well.

But those days have passed. Today, "your profession is reeling. Those administrations that are inclined or impelled to diminish faculty influence in institutional affairs and to exclude faculty from the mechanics of decision-making have an

³ David M. Rabban, "Can American Labor Law Accommodate Collective Bargaining by Professional Employees?" *The Yale Law Journal* 99 (1990): 689.

easy time of doing so—especially where the faculty are fragmented; too busy to spend the time required to maintain healthy governance; and too busy, too distracted, or too intimidated to organize themselves ...

“So, for many faculty, the manner and means by which they can flourish as professionals within their own institutions are increasingly dependent on whether they have the will to act collectively as professionals through an AAUP chapter ...

“If it is too grandiose and extreme to claim that the AAUP developed a profession where there was not one before, it may also be too modest to claim that the AAUP’s contribution to the profession has been in the shaping and advancing its central tenets and values. AAUP policy statements are the closest we have—the closest American higher education has—to templates for a healthy profession.

“Where the power of the rightness and practicality of these statements cannot, of their weight, maintain their viability in an institution, the AAUP, in the form of faculty organized through local AAUP chapters must not simply speak truth to power—but obtain power. Yet, while AAUP principles provide an instant agenda for a sound professional life, the achievement of that professional agenda increasingly requires the attention, time, and commitment of the faculty themselves.”

“RAISE THE ROOF” UPDATE: HALF A ROOF INSTALLED FRIDAY AND SATURDAY OF BREAK

On Friday, a crew of AAUP members, emeriti faculty, and others tore three layers of shingles off half the roof on the former base commander’s house at Waverly Habitat’s Heartland Hills. On Saturday, those volunteers who could still move came back to install a new roof on the denuded half. Workers included WSR High School student Gabriel Bouzard; Wartburg student Andy Bell; Wartburg emeriti faculty John Kurtt (who is also head honcho), Darold Wolff, and Augie Waltmann; Wartburg vice president Lex Smith; Waverly attorney and Habitat leader Dave Engelbrecht; Waverlyite and Habitat regular Harvey Carolus; and faculty members Bouzard, Breutzmann, Figura, Scholtz, and Strickert. Two more days will be needed to finish the roof. It is hoped that boys from the training school at Eldora will tear off this time. If you wish to volunteer for shingling, contact Greg Scholtz.

IN AY 2004-05 TOP WARTBURG ADMINISTRATORS RECEIVED AVERAGE RAISES OF 10.6%

Below are Wartburg’s top five administrative compensation packages (salaries plus institutional contributions to benefit plan and any deferred compensation) for the 2004 and 2005 fiscal years (the most recent for which figures are available). This information is taken from Wartburg’s IRS Form 990s (available at <<http://www.guidestar.org>>).

	03-04 comp	04-05 comp	raise	% change
John R. Ohle, president.....	\$235,650.....	\$260,688.....	\$25,038.....	10.6%
David Ostrander, VP, development.....	\$122,152.....	\$133,159.....	\$11,007.....	9.0%
Ferol Menzel, VP, academic affairs.....	\$121,313.....	\$129,118.....	\$7,805.....	6.4%
Edith Waldstein, VP, enrollment management.....	\$106,288.....	\$121,923.....	\$15,635.....	14.7%
Alexander F. Smith, VP, student life.....	\$106,776.....	\$119,859.....	\$13,083.....	12.3%

N.B.: According to salary data submitted by the college to federal agencies and the AAUP, the average raise in faculty compensation for all ranks for AY 2004-05 was \$1,715 or 2.6%.

DUELING LAWSUITS AT CAPITAL UNIVERSITY

According to the September 21 *Columbus Dispatch*, Capital University is suing two of its former administrative officers and a local contractor. One of the administrators being sued is former university treasurer Donald Aungst, whom the university is charging with “negligent, reckless, and intentional conduct” that the university claims led to three years of budget deficits: \$2.9 million in fiscal year 2003, \$4.9 million in fiscal year 2004, and \$6.9 million in fiscal year 2005. Aungst resigned May 30, a few days later the president resigned, and in late June the college laid off 75 staff members. The other former official being sued is the former facilities management director, and the contractor named in the suit was allegedly involved in shady dealings with Aungst and the other officer.

In the meantime, Rich Woods, the former assistant vice president of auxiliary services and director of public safety, has filed suit against the university for wrongful dismissal and age discrimination. The September 21 issue of *The Chimes*, Capital’s student newspaper, states that Woods is asking for \$4.5 million in compensatory damages. Woods lost his job on June 29 along with 74 other employees when the university downsized its workforce to address its massive budget deficits.

ACT AND CLASS RANK IMPROVE, MOVING STUDENT-PROFILE GOALS CLOSER

The ACT composite average of this year's incoming class has reached 24 for the first time since 2001, and 36% of this year's incoming class graduated in the top 10% of their high school class, also the highest figure since 2001. In addition, the 25th to 75th percentile range of ACT composite scores rose to 21-27, the best since 2003 and a mark nearer the Commission Wartburg target of 23-28. However, in relation to the goal of "reducing the number of students who rank in the bottom one-half of their high-school graduating class to under 10 percent (6-8 percent ideally)" (*Summary Report of Commission Wartburg*, May 2000, p. 27), the class profile moved in the wrong direction: 14% of incoming students graduated in the bottom half of their class. Not since 2001 has an incoming class shown such a bimodal distribution in class rank, presenting a possible challenge for retention (see following story).

Academic Profile of Incoming Classes: 1994-2006

FALL	% in top 10% of grad class	% in bottom 50% of grad class	Wartburg ACT composite avg.	Wart mid 50% composite range	National composite avg.	Iowa composite avg.
2006	36%	14%	24.0	21-27	21.1	22.1
2005	31%	11%	23.7	21-26	20.9	22.0
2004	34%	12%	23.7	21-26	20.9	22.0
2003	33%	15%	23.7	21-27	20.8	22.0
2002	29%	13%	23.8	21-26	20.8	22.0
2001	36%	15%	24.1	21-27	21.0	22.0
2000	31%	14%	23.7	21-26	21.0	21.4
1999	35%	14%	24.2	21-27	21.0	22.0
1998	29%	13%	24.1	21-27	21.0	22.1
1997	38%	8%	24.3	22-27	21.0	22.1
1996	33%	11%	23.6	21-26	20.9	21.9
1995	35%	11%	24.3	21-27	20.8	21.8
1994	42%	8%	24.6	--	20.8	21.9

Source: Office of Enrollment Management

ENROLLMENT AND RETENTION FAIL TO MEET PUBLISHED OBJECTIVES

For the first time in fourteen years, fall enrollment has failed to exceed that of the previous year. And, for the first time in eleven years, it has not set a record. With a total headcount of 1769—42 fewer than that of last fall—this fall's total enrollment, as of September 20, was the lowest since 2002. This downturn has occurred despite the college's goal to "increase enrollment by one percent per year through enhanced recruitment and retention efforts" (*Summary Report of Commission Wartburg*, May 2000, page 26), a target confirmed by the Regents in February 2004 (*Wartburg College Self-Study Report*, pages 16-17, 106). Since the fall of 2000, the college has exceeded that goal every year except the last two (see table).

In a September 29 press release, Vice President Waldstein indicated that the admissions office had "met its goal for first-time, first-year students." Moreover, the number of new students who were transfers (42) was the same as that of last year. Therefore, the cause of the decline must be related not to a failure to recruit a sufficient number of new students but to a shortfall in total fall-to-fall retention. In fact, total retention was 82.8%, the lowest since 1993 and the lowest point in a fairly steady downward trend that began in 1996. This downward movement has continued despite the college's recent commitment to raise the retention of each first-year class to 90% (*Summary Report of Commission Wartburg*, May 2000, page 26). As the table indicates, only three out of four of last year's freshmen returned this fall and last.

Enrollment and Retention: 1996-2006

	Total Enrollment	Gain or Loss from Prev. Year	Total New Students	Total Fall to Fall Retention	First-Year Retention
Fall 2006	1769	-42 (-2.4%)	546	82.8%	73.0%
Fall 2005	1811	7 (0.4%)	560	83.6%	74.9%
Fall 2004	1804	29 (1.6%)	535	85.6%	79.6%
Fall 2003	1775	80 (4.5%)	553	84.3%	76.0%
Fall 2002	1695	46 (2.7%)	551	84.4%	77.0%
Fall 2001	1649	49 (3.0%)	512	83.7%	74.7%
Fall 2000	1600	54 (3.4%)	538	85.7%	77.7%
Fall 1999	1546	5 (0.3%)	472	85.8%	76.6%
Fall 1998	1541	13 (0.8%)	454	87.0%	82.2%
Fall 1997	1528	61 (4.0%)	465	85.9%	79.7%
Fall 1996	1467	34 (2.3%)	472	87.5%	81.3%

Source: Office of Enrollment Management