



"Committed to Academic Excellence"

NEWSLETTER

October 11, 1995

BOARD APPROVES ADMINISTRATIVE VERSION OF FACULTY SEXUAL HARASSMENT POLICY

The Wartburg College Board of Regents voted October 9 to accept an amended version of the sexual harassment policy approved by the faculty on April 6. The amendments to the faculty-approved policy were proposed by President Vogel.

As stipulated in the Faculty Handbook, the amended policy will now be returned to the faculty and to the Faculty Review Committee (FRC) for their review. A response is to be submitted to the board by December 1. If the faculty recommends any substantive changes, the board will consider them at its next meeting in February.

Wartburg AAUP strongly endorsed the original version of the policy. In an April 2 letter to President Vogel, chapter officers point out that the faculty policy establishes "a much more 'victim friendly' set of procedures, . . . ensures that an elected [faculty] committee . . . reviews charges against faculty, . . . removes administrators in the 'personnel loop' from participation in formal hearings, . . . abolishes 'shadow files' of unsubstantiated allegations, . . . requires academic due process when severe sanctions are imposed, and qualifies a dangerously vague and subjective notion of hostile environment." The writers also state that the faculty's version "conforms to standards endorsed by the AAUP and a number of other educational and professional organizations."

HEYWOOD DECONSTRUCTS FIVE TENURE MYTHS FOR FACULTY/STAFF AUDIENCE

"The institution of tenure will survive but the price of academic freedom, as with other liberties, is eternal vigilance, and our colleagues on faculties, administrations, and boards of trustees must be educated repeatedly," says C. William Heywood, professor emeritus of history and dean emeritus at Cornell College in Mt. Vernon, Iowa. Heywood made his remark in a speech to faculty, administrative staff, and guests at the Wartburg AAUP fall dinner on September 15.

The heart of Heywood's speech—entitled "Is Tenure Obsolete?"—was the refutation of five prevailing myths about the tenure system:

Myth 1: Tenure is not needed to protect academic freedom because that concept is now firmly embedded in higher education, and in those rare instances when it is abused, victims have effective redress through the courts.

"The number of academic freedom cases the AAUP investigates every year [about 4 to 5 on average] is evidence that academic freedom is clearly not safe everywhere in higher education. Mention of the McCarthy era should remind us that no one can really say that our country has safely been inoculated against a future recurrence of this disease.

"Turning to the matter of protection by the courts, . . . there is still a long way to go before we can rely solely on the law to protect academic freedom. For one thing, . . . the Supreme Court . . . has defended the academic freedom of academic institutions, but not of individuals. . . . Also, the courts have been reluctant to get into cases involving private colleges unless violation of contractual obligations can be established. Further, there is evidence in court decisions that even if the law provided protection of academic freedom, administrators would be encouraged to allege deficiencies of a professor they wish to get rid of, so they could say, "We would have fired him or her anyway."

Myth 2: *Tenure reduces the quality of our students' education, for it results in professors' becoming lazy in their tenured security.*

"This tattered old claim is the 'deadwood' argument, based on the assumption that old wood is dead wood, and usually accompanied by a vivid word picture of professors as dilettantes who, safe behind the screen of tenure, do not keep up in their fields once tenure is achieved. No one has produced convincing evidence to support the claim that this is a serious problem affecting more than a handful of individuals. . . .

"If tenure erodes quality, why is it that most institutions that are consistently regarded as the best, have long had the tenure system?"

Myth 3: *The elimination of mandatory retirement makes tenure no longer viable.*

"This myth confronts us with the scenario of doddering oldsters shuffling into the classroom clutching yellowed notes in their trembling hands.

"Actually, after the mandatory retirement age was lifted from 65 to 70, the average retirement age of faculty increased by less than one year. I think experience has shown that very few professors wish to teach beyond age 65. . . .

"In rare instances, some older faculty members may wish to remain active after they have lost their effectiveness. As I have already said, if this actually occurs, a tenure system properly formulated and administered has provisions that allow for the removal of such persons."

Myth 4: *Tenure adds unnecessarily to the costs of the college.*

"In one sense it is expensive, for in granting tenure, the college assumes a long-term financial commitment to the professor. There are, however, rewards for this commitment. Tenure helps assure for the college a faculty characterized by stability, experience, and the sense of productive involvement in a scholarly community that is vital for a healthy learning environment.

"We should ask those who see abolition of tenure as a way to save money just what model they have of the faculty. Do they really want a transient faculty made up entirely of young people who will be let go when they reach a certain salary level?

"The claim that abolition of tenure would reduce the salary budget should be examined carefully. Without the protection of tenure, many doubt that professors would work, as they do now, for salaries that are considerably lower than those paid other professionals who invest a comparable amount of time and money in educational preparation.

"A recent experience supports this claim. President John Silber of Boston University decided he wanted to appoint a top-drawer economist to the B.U. faculty. The position was advertised at an annual salary of \$120,000 with the understanding that the professor would be given a five-year contract with no tenure. Silber found no takers. His conclusion: 'You can't be competitive if you don't offer tenure.'"

Myth 5: *Tenure reduces the flexibility needed to make faculty adjustments in the face of financial exigency, declining enrollments, or changing student interest in academic subjects.*

"I want to respond to this by citing the experience of my own college. In 1969-70 Cornell College had 91 full-time faculty members, 44 of whom were tenured. This was at the end of the period of prosperity and growth in academe that I mentioned earlier. Ten years later the full-time faculty at Cornell numbered 65, a decrease of almost 30%.

"The reductions came during a period of declining enrollments, failure to meet fund-raising goals, rising costs of financial aid, and sky-rocketing inflation. During that decade there were among the tenured faculty members 8 retirements, 2 deaths, 10 voluntary resignations to accept other positions, and 2 resignations of faculty members who left voluntarily when told that their resignations were desired for reasons of staff reduction, not for reasons of incompetence.

"This shrinking of the faculty was brought about without any lawsuits or AAUP investigations. Of course, there were non-renewals of non-tenured faculty members, but tenure continued to be granted to those who met the standards at time of review. In fact, at the end of the decade under consideration, there were more faculty members on tenure than at the beginning. The reduction was possible because the faculty and administration jointly recognized the problem and worked cooperatively to resolve it as fairly as possible.

"My point again is that tenure, *properly understood and administered*, does not preclude the peaceful separation of tenured faculty members. In countering the claims of those who would abolish tenure, we must emphasize that tenure is not a guarantee of lifetime employment. Properly understood and

administered, tenure assures rather than no person retained as a faculty member after a lengthy period of probationary service may be dismissed without adequate cause."

Heywood went on to list the characteristics of a tenure system "properly understood and administered," as derived from Richard Chait and Andrew Ford, *Beyond Traditional Tenure* (Jossey-Bass, 1982):

- "In conducting evaluations, faculty performance should be approached as a matter to be *judged* rather than *measured*. The model to follow is the judicial process, not the accountant's statistical method. . . . In general, we should steer clear of procedures that result in numerical 'grades' for those being evaluated."
- "Establish both clear criteria and standards and be aware of the difference between the two. *Criteria* may be the same at all levels, but the *standard* of performance should be more rigorous as one moves toward tenure and up the ladder of rank."
- "Conduct evaluations on a regular schedule and not just at the time of the tenure decision."
- "Reappointment and tenure decisions must be made in an institutional context and not be limited simply to a judgment of the quality of the individual performance. . . . At the time of first appointment and when reviews are conducted, faculty members should be informed that reappointment and tenure decisions will be influenced by an assessment of institutional needs as well as professorial performance."
- "Faculty members under review for reappointment or tenure should have available a multi-level appeal procedure."

HERMENEUTICS OF THE CLASSROOM or WHAT THE PROFESSOR REALLY MEANS

<u>Professorial Statement</u>	<u>Translation</u>
You'll be using one of the leading textbooks in the field.	I used it as a grad student.
If you follow these few simple rules, you'll do fine in this course.	If you don't need any sleep, you'll do fine in this course.
The gist of what the author is saying is what's most important.	I don't understand the details either.
The answer to your question is beyond the scope of this class.	I don't know.
You'll have to see me during my office hours for a thorough answer to your question.	I don't know.
In answer to your question, you must recognize that there are several disparate points of view.	I really don't know.
Today we are going to discuss a most important topic.	Today we are going to discuss my dissertation.
Unfortunately, we haven't the time to consider all of the people who made contributions to this field.	I disagree with what roughly half of what the people in this field have said.
The implications of this study are clear.	I don't know what it means either, but there'll be a question about it on the test.
We can continue this discussion outside of class.	1. I'm tired of this. Let's quit. 2. You're winning the argument. Let's quit.

Today we'll let a member of the class lead the discussion. It will be a good educational experience.

I stayed out too late last night and didn't have time to prepare a lecture.

Before we begin the lecture for today, are there any questions about previous material?

Has anyone opened the book yet?

(by J. Timothy Petersik)

FIRST-YEAR RETENTION REACHES RECORD HIGH, BUT FRESHMAN PROFILE DOWN

The percentage of first-year students retained from fall term of 1994 was 88%—the highest in the history of the college. A number of causes may account for the high retention rate, including the institution of the Alpha seminar last fall. Another cause may be the fact that last year's freshman class showed one of the strongest academic profiles in recent memory: 42% ranked in the upper 10% of their graduating class, and their average ACT composite score was 24.6.

Of this year's incoming class, 35% graduated in the upper 10% of their high school class; their ACT composite averaged 24.3. (The national average is 20.8.) With the incorporation of the Alpha Seminar into several first-year courses, this change in academic profile may not appreciably affect next year's first-year retention.

COLLEGE RANKINGS: HOW DO WE STACK UP AGAINST THE COMPETITION?

US News and World Report (September 18) has once again ranked Wartburg in the 4th tier of the 164 "national liberal arts colleges," institutions that award more than 40% of their degrees in the liberal arts.

Rankings were based on six attributes: reputation, selectivity, faculty resources, financial resources, graduation rate, and alumni satisfaction, weighted most heavily by faculty resources (20%), reputation (25%), and student selectivity (25%).

The table below compares Wartburg with its chief competitors among Iowa and ELCA colleges. All data are from the *U.S. News* article. (Peer institutions which failed to make the rankings were Buena Vista, Simpson, and Augsburg. Augustana-Sioux Falls was listed with the top 10 midwestern "regional liberal arts colleges," a category reserved for schools awarding less than 40% of their degrees in the liberal arts.)

	SAT/ACT 25th-75th percentile ¹	Frosh in top 10% ¹	Accept Rate	Yield ²	Student/ Faculty Ratio	Total Expenditure per FTE ³	Alum Giving Rate ⁴	Grad Rate (6 yr.)	Academic Reputation ⁵
Augustana (IL)	22-28	36%	81%	33%	14/1	\$10,292	41%	70%	90 (109)
Central	21-27	35	85	30	12/1	9,167	26	67	123 (124)
Coe	22-27	27	79	42	12/1	10,172	33	65	99 (99)
Concordia (MN)	21-27	30	86	44	12/1	7,975	34	66	123 (129)
Cornell	23-28	34	93	27	14/1	10,306	30	61	68 (68)
Grinnell	1160-1370	64	64	28	9/1	19,256	53	82	8 (10)
Gustavus	22-28	37	79	42	13/1	10,118	58	78	63 (68)
Luther	23-28	38	90	39	14/1	9,400	38	75	90 (99)
St. Olaf	22-29	41	76	44	10/1	12,910	31	N/A	34 (36)
Wartburg	22-28	41	88	28	13/1	8,401	37	64	136 (129)

Notes: (1) These figures are those of last year's entering class (see preceding article). (2) "Yield" is the percentage of accepted students that actually enrolled. (3) The total expenditure per full-time-equivalent student is the amount the institution spent during AY 1994-95 for instruction, student services, administration, and academic support, including libraries and computers. (4) Represents the average percentage of living alumni who donated to their alma maters' fund drives during 1993 and/or 1994. (5) The average percentage of freshmen enrolled in 1985-88 who graduated in six years. (6) Based on a survey of 2,700 college presidents, deans, and admissions directors who were asked to rank all schools in the same category as their own. Last year's rating is in parentheses.